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ABSTRACT

The Media Ethics Division section of the proceedings contains the following seven papers: "The Concept of Media Accountability Reconsidered" (Patrick Lee Plaisance); "Of Joint Ventures, Sock Puppets and New Media Synergy: Codes of Ethics and the Emergence of Institutional Conflicts of Interest" (Charles N. Davis and Stephanie Craft); "Constructualist Morality in News Reporting: What Journalists Owe to Story Subjects, News Sources and the Public" (Kathleen L. Mason); "Beyond Kant Lite: Journalists and the Categorical Imperative" (Lee Anne Peck); "Online Media Ethics: A Survey of U.S. Daily Newspaper Editors" (M. David Arant and Janna Quitney Anderson); "Covering the Ethics of Death: An Exploration of Three Model Approaches (David A. Craig); and "Philosophy in the Trenches: How Newspaper Editors approach Ethical Questions" (Patrick Lee Plaisance). (RS)

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CS 510 464

Media Ethics

The Concept of Media Accountability Reconsidered

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Abstract

The concept of media accountability is widely used but remains inadequately defined in the literature and often is restricted to a one-dimensional interpretation. This study explores perceptions of accountability as manifestations of claims to responsibility, based on philosophical conceptions of the two terms, and suggests media accountability be more broadly understood as a dynamic of interaction between a given medium and the value sets of individuals or groups receiving media messages. The shape-shifting nature of the concept contributes to the volatility of debate surrounding conflicting notions of press freedom and responsibility.

The Concept of Media Accountability Reconsidered

Definitional Overview

During his first term as president, Thomas Jefferson suffered unrelenting, savage attacks by a monster he had a critical hand in making: the freewheeling and caustically partisan press of post-Revolutionary War America. The searing criticism found in the pages of the opposition federalist papers was merciless – particularly in the papers' promotion of widespread rumors about Jefferson and his relations with his slave, Sally Hemings.[1] Faced with a torrent of unbridled, irresponsible and personal smear campaigns by editors, Jefferson grappled for years with the dilemma of holding a free press accountable for its behavior. Like most, he failed to fully reconcile the two notions of press freedom and accountability. During his first term, the foremost champion of a free press bitterly suggested that "a few prosecutions" of prominent libelous editors "would have a wholesome effect in restoring the integrity of the presses" (Malone, p. 230). Yet after four years in the presidency, Jefferson reiterated his ideal that a free press, "confined to truth, needs no other legal restraint," and concluded that the offending editors should be "left to find their punishment in the public indignation" (Jefferson, p. 65, 66).

Jefferson's lack of success in his search for a unifying principle of press accountability is representative of most such attempts since. While the landmark Commission on the Freedom of the Press struggled with the same issues for several years in the 1940s and emerged with a thoughtful argument for press responsibility, it failed to make a significant contribution to the notion of media

accountability. And nearly two centuries after Jefferson left the White House, scholars continue to search for the elusive middle ground, to "square the circle of reconciling media freedom with media accountability," as McQuail says (1997, p. 513). Hodges says it is possible to have a press that is both free and responsible, but that it is impossible to have a press that is both totally free and completely accountable. "Such a press could not be free to choose voluntarily to behave responsibly because any authority who could 'call the press to give an account of itself' could require responsible performance" (1986, p. 14). His Jeffersonian warning against using notions of responsibility to compromise press freedom is well-taken, but it does not address the critical linkage between responsibility and accountability. McQuail and others argue that researchers need to stop seeing the two as mutually exclusive because "the full notion of freedom cannot be detached from ideas of responsibility" (1997, p. 514).

In journalism, the concept of accountability has held a place of prominence and primacy even as its definition has remained vague. The concept often is thrown about in polemics, while media users and practitioners continue efforts to identify exactly how it is delivered and what it represents. Concern about accountability has prompted researchers to count the number of corrections in a newspaper column and philosophers to contemplate who exactly can be held accountable in a mass media culture. What emerges from a survey of the uses of the term in American journalism, communications, philosophy and other fields is a refined and multi-dimensional conceptualization that establishes accountability as manifestations of the interaction between the claims of one autonomous agent and the value sets of another. Media accountability

encompasses any of a number of mechanisms that allow for interaction between the journalistic apparatus of a medium and the impressions, rooted in receivers' set of values, created by messages. The concept is widely accepted as referring to manifestations of claims to responsibility, and these often are classified as existing in both legal and moral realms. But a routine blurring of the two realms, combined with repeated invocations of our Jeffersonian legacy of press autonomy, has made a muddle of the concept, as Christians notes: "Our longstanding debates over codes, ombudsmen and ethical theory, I believe, reflect a serious misunderstanding of accountability" (1989, p. 36). However, even he concludes by limiting the concept's critical component of interactivity to a vague "social arena…of custom and convention" (1989, p. 40). This study suggests that such manifestations of interaction are implicit in all dimensions of accountability.

Media users can seek accountability through the courts but also can and do demand that the press be responsive as an ethical agent of public service. As this interactive dynamic makes clear, the concept of accountability depends as much upon the values of the individual or group receiving the messages as it does on the behavior of the medium. The concept often has been operationalized as merely half of the whole: the mechanisms, or indicators of fallibility – corrections, use of ombudsmen, etc. – appearing in or on behalf of the medium that are responsive to receiver values. Yet those mechanisms are shaped directly by the influence and expression of media user values. The function of accountability, in reality, is an issue of influence; it exists, according to Gordon and Merrill, in proportion to a group's power (1988, p. 44). At the same time, the

infinite variety of the nature of this interaction precludes any claims for a concrete empirical definition that could be used as a template in all analyses.

Clearly, accountability plays a critical role in the overall functioning of the media themselves, and is a component of theories of media use, information processing and the roles of media as credible agenda-setters. Unlike media in other economic and state-controlled models, U.S. news organizations, with their free-press guarantees, enjoy a unique relationship with the U.S. public that is largely mutually dependent and interactive. As a result, the related concepts of credibility and accountability historically have helped shape American journalism. The ability – and failure – of the American press to make itself accountable for its behavior has affected both the shape of its existence today and public acceptance and use of it.

But the question of who defines responsible behavior for a media system based on autonomy is a volatile one. In a rare effort to quantitatively assess media accountability, researchers were met with suspicion and hostility from journalists: "They do not like the idea of being accountable, sensing it as a threat to basic professional freedom" (Sanders, p. 149). After seriously considering a recommendation to force greater media accountability through government agencies and regulations in the 1940s, Hutchins Commission members settled on a much more vague faith in voluntary efforts. Accountability became "the umbrella term for all of the ways for enforcing the moral obligations" of the press (McIntyre, 1987, p. 151). Commission members tried to argue that accountability "is not necessarily a net subtraction from liberty" and that "the affirmative factor of freedom, freedom for, may be enhanced." "The free press must be free to all

who have something worth saying in public, since the essential object for which a free press is valued is that ideas deserving a public hearing shall have a public hearing" (Commission, p. 129-130). This may be a reasonable claim for press responsibility, but it is a platitude that reflects the commission's limitations in the realm of accountability. Here the commission conflates the two concepts, which serves neither. It concludes by referring to one component of press *responsibility* – "...the important thing is that the press accept the public standard [of universal accessibility]" – while acknowledging that there is no "perfect solution" – i.e., a way to hold the press accountable for doing so (Commission, p. 131). McIntyre's analysis of the commission's work suggests that, while the group paid homage to the concept and some members even hinted at the notion of interactivity that lay at its heart, accountability remained ill-defined as the policy doctrine in which the commission had hoped to take so much pride:

> And what external agency could be entrusted with enforcing accountability? The commission's answer lay in its pluralistic conception of society and in the idea that pluralism could best be protected by a specially selected, elite group of citizens (McIntyre, p. 151).

Such Lippmannesque social engineering clearly was not embraced by society as the commission envisioned. The real question, McQuail says, is whether "the freedom to be irresponsible on the one hand and the power to call media to account, on the other, are equitably distributed" – and his answer is no (1997, p. 528). As the media behave more as corporate entities focused on profits and less as agents of a public trust focused on social good, McQuail argues that "existing

frameworks or regulation and social control are becoming obsolete" (1997, p. 511) and a new conceptualization of accountability is needed. Jay Jensen argues that we find ourselves in an era of "neo-liberalism" where concerns over social responsibility threaten to nudge aside the traditional individualism of longstanding liberal press theory (1976, p. 187).

Others have given up on attempts at conciliation altogether. They continue an argument that one must unearth one's deepest allegiances – either to journalistic autonomy or to the communitarian mission of the press – and fight the good fight (Merrill, 1990; Christians & Traber, 1997). Each distinct philosophical approach places various emphases on the need for accountability. As a result, much of the research and polemics on media accountability – including the work of the Hutchins Commission – says more about the *need* for media accountability than about the *nature* of the concept, with the notable exceptions of Christians (1989) and McQuail (1997).

Related Concepts

Responsibility

By definition, accountability is a measurement of performance; it is understood nearly exclusively in relation to the what it is measuring. Since the term "giving an account" conventionally implies a subjective gauging of a level of satisfaction in most dictionaries, the concept is naturally twinned with a notion of responsibility.[2] In fact, the two notions often are used synonymously: to be accountable is in fact to be responsible. In media ethics, the notions are two

sides of the same coin: "We cannot reasonably demand that the press give an account of itself or improve its performance until we determine what it is the press is responsible for doing" (Hodges, p. 14-15).

Various levels and dimensions of the concept of responsibility have long had a prominent place in the philosophy of ethics. Whereas accountability often is referred to as the manifestation of claims to responsibility, the latter is the acknowledged obligation for action or behavior within frameworks of roles and morals. Haydon said "there can be and are in currency different conceptions of what it is to be responsible," and he outlined four "senses" of responsibility. But with all of them, "the root notion is that of answering, in the sense of rebutting charges, or, as I shall say, giving an account" (1978, p. 48, 55).

The notion of responsibility has a very clear evolution from Aristotle's claims about the virtuous autonomous individual to the present day, as contemporary philosophers seek to identify the root of responsibility. Fifty years ago, H.L.A. Hart argued how and why we use active sentence structures to "ascribe" individual responsibility. The field of philosophical inquiry into the notion of responsibility remains rich and extensive, and encompasses in many ways the conventional understanding of accountability. Feinberg, for example, talked of someone's action being blameworthy as giving that person an "ascription of liability" (1970, p. 128). Later, he said, "When we state that a person is responsible for some harm, we sometimes mean to ascribe to him *liability* to certain responsive attitudes, judgments or actions" [author's emphasis] (1970, p. 222). This echoes Haydon's explanation of accountability as the manifestation of claims to responsibility. The claim of liability is the foundation

for all subsequent claims for one to "account" for one's action or behavior. Most recently, Scanlon has attempted to specify a notion of moral responsibility, which goes further in linking this liability with the concept of accountability. A person can be held responsible for an action, Scanlon says, only when that action can be directly "attributable" to that person's so-called judgment-sensitive attitudes (1998, p. 249). Someone may be held morally responsible – she may be held to give an account, in other words – if she blurts out some highly offensive remarks to a colleague, for example. But if it is revealed that she has been put on some medication that is known to cause dramatic behavioral changes, or if a communications researcher prompted her outburst with an electric charge to her neurological network, her remarks cannot be properly linked to her judgment-sensitive attitudes.

Credibility

Our personal attitudes provide the basis for our responses to other individuals and to messages we receive. We form notions of credulity and incredulity through the interaction of outside stimuli and our ability to acquire new beliefs and change old beliefs. How we construct notions of credibility has been an area of major interest among psychologists for the last four decades, and consequently researchers have zeroed in on the formation of individual attitudes. Early on, psychologists identified two major influences on message credibility: incongruity between the message and the receiver's attitude (Osgood & Tannenbaum, 1955), and the receiver's tolerance for inconsistency (Hunt & Miller, 1968).

This psychological research has had major implications for the mass media, particularly since the Roper polling organization started getting disparate responses to survey questions about the relative believability of media in the late 1950s and early 1960s (Gaziano & McGrath, 1986). Efforts to measure media credibility proliferated in the 1970s as researchers sought the cause of declining household penetration of newspapers (Meyer, 1988). Often, media users were asked to gauge perceptions of media responsibility or accountability as one of an index of factors to determine credibility (Greenberg & Roloff, 1974). Meyer suggested and sought to test two general criteria for credibility: "believability" and a newspaper's "harmony in and leadership status with (its) community" (Meyer, 1988, p. 567.)

Accountability often assumes a communications process that is successful – a dissemination of information that is perceived as credible. Thus credibility is defined not only by the content of what is communicated, but by the nature of the transmission. High media credibility implies a process in which messages are communicated effectively and received by an audience that uses reasonably error-free cognitive processes. Only then can the audience hold the media to account for journalistic performance. However, information processing theorists have explored how our cognitive processes can break down through simple inattention, failure to respond to given cues or inability to provide a mental context for a projected situation – all of which threaten to seriously erode media credibility. The response of media users to news reports of Watergate provided an interesting opportunity to test how such cognitive processes determine media credibility. In coverage of the scandal, the incongruity between "source values"

and values of media users were thrown into strong relief. But, curiously, one research project found that media credibility was far from a burning issue among people asked to assess various media as sources for news of Watergate (Edelstein & Tefft, 1974).

However, problems with message reception can stem from poor transmission: a news story may lack an understandable narrative or appropriate packaging necessary for it to be absorbed by individuals. Gunter (1987) argues that audiences misinterpret news topics if television news segments are poorly packaged. These problems can pose serious threats to media credibility. They also, consequently, raise the question of to whom the media should be accountable regarding an audience whose members could have widely different impressions of a message. Experimental cognitive psychology has found that memory for information may vary not only with the difficulty of the learning material but also across different categories of people (Gunter, p. 74). Television viewers, for example, may be very selective in their attention to and assimilation of news messages (Gunter, p. 83), which would lead to very subjective "calls to account" for the news medium. This disparity also can be traced along socio-economic lines, as the "knowledge gap" explains how, as mass media messages proliferate, those with higher socio-economic status acquire information at a faster rate than low-status groups (Gunter, p. 84-85). Even members of the Hutchins Commission wondered about the "rationality" of media audiences, and commission member and philosopher William E. Hocking later said he wished the commission analyzed in more detail "the psychology of the receiver" (McIntyre, p. 147).

Conflicting perceptions of credibility clearly can create a destructive dynamic, exposing the media to serious charges that they are not sufficiently accountable for their behavior. How the press comports itself as a group and portrays itself to the public can be a barrier to accountability, and some argue that a sobering example of this occurred in Boston 10 years ago. In the heavily publicized October 1989 incident where Boston resident Charles Stuart and his wife, Carol, were shot, the media bought into what later was uncovered as a hoax in part because of their willingness to believe in racial stereotypes and exploit racial tension (Cooper, 1996, p. 88). Stuart later confessed to killing his wife and injuring himself. The media, however, were not so contrite; Cooper argued area journalists sadly confirmed the stereotype of journalists who are often "portrayed as fully self-righteous, defensive, bigoted egotists incapable of humility, apology or self-reflection" (1996, p. 88). Even if claims of such cavalier behavior may be exaggerated, the implications of Cooper's indictments, if true, are serious enough: Loss of credibility through a refusal to be held fully accountable imperils the functionality of the media in a free-press system.

Definitional Levels

Nominal

Accountability has been given a wide range of concrete definitions, from designated individuals in newsrooms to clauses in professional codes to questions on a scientific survey. Most reflect, to varying degrees, the element of interactivity required by a full conceptualization; that is, they feature some

amount of "answerability," or the process of explaining actions or conduct to affected groups or individuals (Blatz, 1972). Sanders measured six defined newspaper "accountability systems" that included the use of ombudsmen, press councils, accuracy forms and regular space for printed corrections (1975, p. 151). Harris suggests that photojournalists should adopt a set of "protocols" that would call for public scrutiny and pressure on organizations charged with manipulating photos (1991, p. 169). In the world of public relations, accountability is increasingly being measured through a systematic evaluation of the effectiveness of campaigns. Such evaluation methods must extend beyond the anecdotal or impressionistic information that commonly has been used as support by PR professionals (Bissland, 1990, p. 25-26). Bissland identifies various measurements that he called accountability indicators – messages produced, media contacts, audience feedback, etc. – which actually measure the performance of the public-relations organization. These may measure the "success" of the campaign and thus its claims to responsibility. However, it remains unclear how Bissland's measurements create accountability in the interactive sense explored here, or whether they remain simply tools for self-evaluation.

Questions about how to hold journalists to account in cyberspace also have prompted suggested policies to refrain from using anonymous sources found online and to extend the use of online bulletin boards (Singer, 1996, p. 103-104).

Some usages, however, have been applied as approaches to quantify the concept and yet fail as an accurate definition of the concept altogether. Professional codes of ethics have become popular among news organizations as a demonstration of accountability. Given the tenet of journalistic autonomy that serves as the basis for a free press, both media practitioners and users have put much stock in codes of conduct as self-imposed expressions of accountability. However, the reliance on codes has generated significant suspicion that they often are used to merely put a veneer of ethics over questionable behavior. They are dutifully distributed, framed and hung on walls, but they have no real enforcement or element of "answerability" beyond their mere existence. Christians refers to this phenomenon as "hortatory oratory" and suggests that reliance upon such codes, far from putting the concept of accountability into action, amounts to a professional "chasing of tails" (1989, p. 38). The empty promise of accountability held out by codes of ethics is well illustrated by the notorious case of Denver Post publisher F.G. Bonfils. One year after the American Society of Newspaper Editors adopted its solemn "Canons of Journalism" in 1923, the U.S. Senate began checking into rumors that government reserves in the Teapot Dome were being sold to private oil companies. Bonfils was accused of accepting $1 million in bribes for suppressing information from his reporters about wrongdoings. For five years, ASNE members argued over how Bonfils should be punished for violations of the group's code of ethical behavior. Finally, Bonfils cowed the association by threatening to sue it into bankruptcy (Christians, 1989, p. 37). The showdown settled the question of whether wayward journalists should be punished by their

own colleagues or whether they should rely on self-discipline to preserve the cherished notion of journalistic autonomy.

The position of newspaper ombudsman also has been referred to as a function of accountability. Since the first was appointed by the editor of the Louisville Courier-Journal in 1967, nearly three dozen newspapers have followed suit (Ettema & Glasser, 1987). The nature of the role – as a means to invite interaction with newspaper readers who respond to various messages based on their value sets – suggests that the use of ombudsmen could be a valuable tool for media accountability. However, ombudsmen can be seen to serve a public-relations role that is beyond the realm of journalistic accountability. Ettema and Glasser note the limited acceptance of the ombudsman concept among American newspapers, and they attribute this to the dilemma that the position poses for editors: "On the one hand is the ombudsman-as-critic who holds the news organization accountable to readers but may, in the course of doing so, damage organizational morale. On the other hand is the ombudsman-as-public-relations-practitioner, a role with organizational value but, or course, much denigrated by journalists" (1987, p. 5). This tension, the authors find, is reflected in ombudsmen's ambiguous perceptions of themselves as well (1987, p. 11). In the urge to please the community, critical distinctions between a public-relations function and an accountability that cleaves to journalistic principles are easily obscured. Thus, by the nature of the position, ombudsmen should not be considered a reliable function of journalistic accountability.

Arbitration by news councils has been offered as another nominal definition of media accountability. Councils, some researchers have suggested,

offer a comparatively non-coercive alternative dispute resolution system and may provide the best balance between the free press needs of autonomy and the need for a formal way to ensure a responsible press. Hermanson argued that through such a "cooperative system of accountability, the public can increase its understanding of the way media work and become more accepting of errors," and "the media can gain credibility by showing a willingness to discuss journalism's contributions to social welfare" (1993, p. 948). However, a look at the operation of the only two functional news councils suggests they were less than effective as vehicles for accountability.

Hermanson argued that such news councils, based on an analysis of cases handled by the Minnesota News Council and the now defunct National News Council, freed media from threats of criminal and economic sanction while also creating standards for media practices.[3] She also said news councils should be promoted since the people who lodged complaints with the two working councils were "overwhelmingly supportive" of a social responsibility model of the media, which Hermanson also advocated (1993, p. 947, 964). But in doing so, Hermanson staked her position at an extreme end of the ongoing debate over the philosophical underpinnings required by a responsible press. She ignored the urgent premise that a free press must be just that – free and autonomous – before it can fulfil its public responsibilities. Hermanson expressed hope that news councils would serve as outlets for "poorer and/or disenfranchised" members of the public, but then noted in a review of news council cases that "most members of the complainants' groups are…affluent and hold positions of power in their professions and communities" (1993, p. 964), as if this should give them greater

power to call the media to account. What she perceives as an accountability problem that councils could solve is in fact the natural and healthy tension created by journalistic autonomy in relation to various community groups.

Meaning Analysis

While it is important to clarify the definition of accountability and its related concepts, it is critical also to examine in what ways accountability has been acknowledged – and denied – in the actual operation of a free press. A meaning analysis shows that various claims for accountability stem from either the legal or the moral realms. Jefferson acknowledged that libel lawsuits could be an effective way to hold the press accountable, but he ultimately rested his case for press accountability in the court of "public indignation." However, there was a dramatic shift in that sentiment over the next 150 years, when in 1947 the Hutchins Commission warned that public indignation may not be sufficient because of the media's increased power: "The press must know that its faults and errors have ceased to be private vagaries and have become public dangers. Its inadequacies menace the balance of public opinion. It has lost the common and ancient human liberty to be deficient in its function or to offer half-truth whole" (Commission, p. 131).

McQuail concluded that we are facing a "potential crisis of media accountability to society, meaning essentially a breakdown in the systems by which the media have been led or constrained in the past to put the interests of society on a par with their self-interest" (1997, p. 513). Smolla and others argue

that the monumental power that the media have acquired since the 1940s would drive a reconstituted, 1990s Hutchins Commission to endorse some serious restraints: "And if that commission were animated by essentially the same values that moved the original, it seems virtually certain that the commission would join the international chorus calling on lawmakers to legislate against aggressive media newsgathering tactics" (Smolla, 1998, p. 320).

The claims of all of these – Jefferson, the Hutchins Commission, McQuail and Smolla – involve one or both primary categories of media accountability: that of the legal realm and of the moral realm. The former generally operates in a mode of liability; the latter generally operates in the mode of answerability, McQuail says. Both reflect an interaction between the media and their users. McQuail outlines two classes of accountability issues that generally correspond with the legal/moral realms:

- Perennial/universal: Requirement to respect rights of individuals, especially in respect to reputation and material (copyright) interests. The law applies to much of this region, but he identifies a "frontier zone" where the public interest in publication "may transcend individual and private rights" (1997, p. 514).
- Particular to certain places/times: This includes so-called public-sphere expectations to provide open forums and full and fair information for the working of social and political institutions. This also would include conventional democratic aims and recent calls "for the media to take account of the greater interdependence of nations and to observe international norms of good conduct" (1997, p. 515).

Like many other researchers, McQuail strives to negotiate a synthesis of the two, viewing legal mechanisms as destructively coercive and the conventional moral triggers as increasingly ineffectual in the face of mounting media power. "Freedom is not well served by coercive forms of control or by making the media more liable for consequences which are considered harmful," he says. "But dialogue and negotiation between the parties to communication is impossible where relations between media agents and those affected by the reactions are completely detached and calculative" (1997, p. 526). Just as Jefferson hinted in 1803, Smolla and others have echoed the warning that perceived failure of self-imposed accountability may lead to the imposition of accountability in the form of legal curbs and government regulation: "If the world has lost its faith that journalists have the capacity to resist the competitive forces of the market through self-restraint, there will be an inexorable pressure to enforce professional standards through law" (Smolla, p. 322).

The quest for a better synthesis of internal and external accountability, however, is daunting given the perceived shift in media responsibilities. Those responsibilities, Hodges says, fall into three general types: assigned, contracted and self-imposed (1986, p. 17-21). Changes in these categories, of course, trigger shifts in the meanings of accountability. McQuail argues this is part of the problem:

> "It seems likely that the relative share of both assigned and self-imposed responsibilities is falling, while the share of obligations contracted or denied is rising as a result of the extension of media activities, driven by market considerations

> and protected by market freedoms. Obligations to society are more likely to be denied where they involve the provision of unprofitable services" (1997, p. 516).

In other words, the media may be less likely to strive to uphold a "self-imposed" responsibility to reflect the diversity of the communities they serve if it is more lucrative to shape content to satisfy commercial needs to reach certain, fragmented audiences. Similarly, content may be increasingly influenced by factors whose "contractual" nature is seen as being somehow advantageous to the media. In early 1999, a Virginia newspaper agreed to feature corporate logos on its local news section front for companies that "sponsored" installments of a weekly history feature.

Definitional Dimensions

In a free-press system, the concept of media accountability is multi-dimensional, applying differently in relation to individual journalists, to itself, to the government and to the public. Sanders noted that even conventional attempts to enhance accountability conflicted with the streak of independence among many working journalists, who eyed ideas of news councils and ombudsmen as "automatically resulting in the reduction of their control over their professional work" (1975, p. 149). However, notwithstanding the cherished ideals of journalistic autonomy, such responses serve to deny the element of interaction that is essential to the concept of accountability and may in fact be a distortion of that popular streak of independence. Such claims beg the question: independent from what? Surely not from some sense of answerability, and certainly not from the constraints of fairness and impartiality. Yet, if the

communitarian function of the media is taken seriously at all, such absolutist claims of autonomy may in fact undermine equally cherished journalistic virtues of fairness and impartiality, beginning with the individual level. Psychology researchers have demonstrated that we behave differently when we know we will be held accountable for our judgments and actions (Tetlock, 1985). When we know we are faced with this "call to account," we are less apt to attribute bias-creating traits or causes to others in response to our actions. This also is a tenet of the extensive philosophical discussions on the nature of responsibility. In recognizing that he or she "can be called to give an account of what happens in certain specified spheres," an autonomous individual, Haydon says, "is recognizing… the importance of so acting as to be able to give a good account" (1978, p. 56).

This dynamic of accountability is observed on macro levels as well. Political leaders who lead their countries into war subject themselves to a highly risky form of accountability: domestic political support. That accountability at home results in democratic leaders selecting wars with a lower risk of defeat than do national dictators (Bueno de Mesquita & Siverson, 1995). In politics, the concept of accountability not always is limited to methods compelling direct responsibility. Researchers look for explanatory factors that can be said to "account" for certain election results. Some have argued that the strength of support for a sitting president can affect voting patterns in gubernatorial elections. Such state elections serve as a "conduit" for expressions of public satisfaction or dissatisfaction with a president, and one factor (a president's support) can influence a particular outcome (victory or defeat for a governor)

(Simon, 1989). But the effect is one of "systemic accountability," in which one level of government is to an extent made accountable for another (Simon, p. 301).

The various dimensions of accountability reflect various relations of power among the media and other groups. The same dynamic of power that supports individual freedom, Gordon and Merrill argued, also determines the function of media accountability; consequently, accountability is a critical component of any model that "purports to overcome cultural biases inherent in traditional theories of press and society" (1988, p. 38). Since power largely determines freedom, only those groups or organizations with authority can exercise freedom, they argued. Gordon and Merrill offered no normative prescriptions for the place of accountability in their power-freedom model. But the model has obvious implications for the concept as applied to the media themselves. The industry's power, derived largely from global corporate consolidation, "makes it harder than ever for societies to intervene and exert control" (McQuail, p. 512). However, such a power model seems to be an insufficient predictor of accountability, since it ignores the concept's element of interactivity between media messages and the values of media users. Even the power of today's media conglomerates may be restricted to some extent by the degree of media "acceptance." Ten years ago, offended religious groups forced Pepsi to abandon its expensive advertising campaign based on clips from Madonna's "Like a Prayer" music video. Media power, McQuail's concerns notwithstanding, remains contingent to an extent on the function of accountability precisely because of the concept's component of interactivity. This remains true for the corporate world in general, which can run serious risks in

ignoring the four facets of accountability: *to* someone, *for* something, *on the basis of some criterion* and based on varying degrees of strictness (Brummer, 1991).

Drawing from a large body of philosophy that argues for a notion of collective responsibility, some communications researchers have sought to apply the notion to the media. While research has focused on the ability of individual journalists or media organizations to give an account of their behavior, Christians seeks to establish a "collective accountability" in which the public would act as a third leg needed to support a model of media ethics (1988, p. 52). Unfortunately, Christians appears to conflate responsibility and accountability. And he acknowledges his proposed model is unable to "allocate a precise quotient of liability among specific individuals" (1988, p. 52). But he offers an intriguing attempt to apply the philosophical concept of responsibility – which incorporates accountability as one of four properties (Baier, 1966, p. 67) – to the field of communications. His notion of collective responsibility, Christians says, shares Baier's property of accountability: "…As responsible beings in the public sphere, we can legitimately be called to account to the extent of our power for effecting change" (1988, p. 56).

Conclusion

The application of the concept of accountability to media studies often has confused what it is to be accountable and what it is to be responsible. As a result, the interactional element of "being accountable" has been diminished or overlooked. What can be called indicators of fallibility – measures of

accountability such as use of ombudsmen and corrections – are only half of equation. As applied to media studies, the concept depends as much upon the values of the media users receiving the message as it does on the behavior of the media. However, notwithstanding the cherished ideals of journalistic autonomy, journalists' inclinations to deny the element of interaction that is essential to the concept of accountability may in fact serve to distort the value of independence. Given a definition that establishes accountability as a means of compelling responsibility, the concept will continually take different forms based on the philosophical approach used to determine the nature of that responsibility. For those who take a libertarian view of the press as essentially unfettered, the requirement of personal autonomy will then suggest a concept of accountability restricted to how free-press ideals are upheld. A more communitarian approach will necessarily demand a broadening of the concept to encompass social and cultural consequences of the exercise of those ideals.

The shape-shifting nature of the concept contributes to the volatility of debate surrounding conflicting notions of press freedom and responsibility: Our tendency to demand a concrete, empirical definition creates precisely the dangers that Jefferson acknowledged by choosing not to haul his ruthless attackers to court for libel. The interactional element of accountability challenges both media practitioner and media user to seek an uncomfortable balance between the validity of the message and the values of the receiver.

Much of the debate on media accountability has focused on efforts to neutralize the tension between journalistic autonomy and the need for a responsible press. But the nature of media accountability depends precisely on

this conflict, which is not a dilemma to be solved but a healthy tension to be managed. While codes of ethics and correction boxes have their places, the media are accountable when they never stop seeking that uncomfortable balance with audience values.

The anxiety caused by the possibility that such interaction could imply a subservience to the moral values of the media user is precisely the anxiety that Sanders and others tapped. But that anxiety may be tempered by a more fundamental implication of the interactivity of the concept. Accountability will remain fluid, even vague, because it will continue to evolve to correspond with the shifts in values we hold as media users. Those values, as history has shown, shift and create different "calls to account" for media behavior at different time periods. Many southern American newspapers did not abandon their policies against running photos of blacks until the mid-1970s, after the Civil Rights movement set the stage for demands for a new kind of accountability in the media's portrayal of blacks. Moreoever, speculation over the influence of globalization on media accountability is likely to continue. While more savvy public-relations campaigns and other strategies have bolstered the power of some groups to demand accountability, the massive consolidation that continues with worldwide media conglomerates may result in a new degree of insulation against such mobilizations to hold the media accountable.

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Footnotes

[1] One brutal gem with contemporary resonance noted that "The *circle* of our President's *felicities* is greatly enlarged by the indulgence of Sally, the sable...." Another attack in the same Pennsylvania paper took the form of verse: "Resume thy shells and butterflies,/thy beetle's heads, and lizard's thighs,/The state no more controul:/Thy tricks, with *sooty Sal*, give o'er;/Indulge thy body, Tom, no more;/But try to save thy *soul* (Malone, 230-231).

[2] Accountability is defined as "1. Obliged to account for one's acts; responsible 2. Capable of being accounted for; explainable" in the Third College Edition of Webster's New World Dictionary. Accountable is listed as a synonym for responsible in the Second College Edition of the American Heritage Dictionary, and is defined as "1. Answerable; 2. Capable of being explained."

[3] Both councils were created in the early 1970s; the National News Council was dissolved in 1984, while the Minnesota News Council continues to hear cases.

Of Joint Ventures, Sock Puppets and New Media Synergy: Codes of Ethics and the Emergence of Institutional Conflicts of Interest

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Of Joint Ventures, Sock Puppets and New Media Synergy: Codes of Ethics and the Emergence of Institutional Conflicts of Interest

Introduction

On a recent weekday morning, the hosts of ABC's *Good Morning America* spent an inordinate amount of time interviewing a sock puppet that insisted it be called "Pets.com sock puppet." The appearance of a shill on a morning news show is nothing new, as hucksters from Richard Simmons to Buzz Lightyear have graced the *GMA* stage in the name of commerce. Though new to morning television, the sock puppet was a broadcast veteran: it appeared on *Nightline* a week earlier to mourn the passing of *Peanuts*' creator Charles Schultz.

What made this sock puppet stand out was its pedigree: Less than a month before the puppet's network news debut, Go.com, another subsidiary of Disney, ABC's parent company, had acquired a 5 percent stake in Pets.com. The sock puppet's morning show appearance prompted widespread coverage in *The New York Times*, the *International Herald-Tribune* and *Slate*, among others, providing a whimsical but effective example of the pervasive

nature of conflict of interest in the new media landscape (Shuger, 2000).

The accelerated trend toward media co-branding, joint ventures, strategic alliances and mergers and acquisitions with non-journalistic companies raises new ethical concerns about the entanglements created in the name of synergy. As traditional media companies buy stakes in Internet companies in equity swaps, the cross-ownership of media creates vast potential for real or perceived conflicts of interest.

"Conflict of interest," a phrase both deplored and misunderstood by journalists, is destined to play a larger role in the ethics of new media. Traditionally, conflicts of interest have arisen on a personal level: a reporter covers a meeting, favorably reviews a play or touts a stock of personal interest to the reporter. Indeed, journalism ethics books typically outline conflicts of interest as the exclusive territory of the reporter-source covenant (Day, 2000; Fink, 1988; Stephens, 1986). Reporters, they warn, must be aware of the web of financial, emotional and societal ties they bring to the newsroom, or risk undermining the credibility of their reporting.

Journalists also have a fine understanding of how their sources fall into conflict of interest. They chronicle conflicts involving politicians and judges, so well in fact that most

wealthy public officials now place their financial holdings in private trusts to insulate themselves from the appearance of impropriety (Bok, 1983).

Still, such conflicts do occur, often to the chagrin of sources, as well as to reporters and editors, and to the glee of violated sources, who seldom fail to document such abuses. Sneed and Riffe (1991) found 117 different cases of journalistic conflict of interest, concluding that conflict of interest is among the most common ethical failings of modern journalists. To imagine that they are the only form of conflict of interest, however, is to ignore the modern media industry and the rise of the media conglomerate, an interconnected entity giving rise to new, as yet undefined conflicts between newsgathering organizations and the institutions they purport to cover.

This paper examines the concept of conflict of interest on an institutional rather than personal level. First, it outlines how media consolidation is creating new conflicts of interest. Second, it examines the issue of conflict of interest by outlining how the term is defined in various professions and in journalism. Finally, it provides a revised definition of conflict of interest that encompasses a new concept, the institutional conflict of interest.

The study argues the need to modify contemporary scholarly definitions of conflict of interest to incorporate institutional

conflict. It departs from other writings on conflict of interest that typify such conflicts as individual deviations from appropriate behavior while ignoring the increasing number of conflicts of interest involving corporate rather than individual decision making. The paper suggests that a better understanding of institutional conflict of interest may assist journalistic organizations in resisting the temptation to cover themselves or the companies their superiors own. By focusing on conflict of interest at the institutional level, the researchers suggest how such struggles should be managed to maximize journalistic autonomy and credibility.

Nature of the Conflict

When the Washington Post Co. joined forces with NBC News in 1999 to share news, technology, and promotional resources among their various properties, including MSNBC.com, MSNBC Cable, NBC News, *The Washington Post* and *Newsweek*, the *Post*'s media critic, Howard Kurtz, was a lone voice of caution:

> Both sides say they will maintain editorial independence, but the thicket of joint ventures and cross promotion raises questions about potential conflicts of interest. It means, for example, that the Post Co. is in business with a network that is owned by General Electric and partners with Microsoft, both major companies covered by the *Post* and *Newsweek* (Kurtz, 2000).

The *Post*-NBC News arrangement is hardly unique. *The Wall Street Journal* and CNBC began a partnership two years ago, in which the two share a web site (CNBC.WSJ.com) that links to MSNBC as well (Shepard, 2000). CNN.com is launching alliances with at least 30 newspapers to share local content in its newly created CNN Online Newspaper Affiliate Program (CNN, 2000). The *New York Times* launched a joint venture with ABC News focusing on online political coverage (Shepard, 24). And in perhaps the finest example of the problem to date, *Brill's Content*, self-appointed press watchdog, announced the launch of Contentville, a site co-owned by, among others, Microsoft, CBS, NBC, Ebsco and Primedia. (Rose, 2000). The announcement was met with cries of outrage from media critics: *Online Journalism Review* columnist Matt Welch likened the deal to "Ralph Nader starting an e-commerce venture with Chevrolet to sell used Corvairs, or *Consumer Reports* launching a web site with Procter & Gamble" (Welch, 2000). Brill resigned as editor of *Brill's Content* the day after the announcement, stating that his resignation would rectify the conflict of interest.

The consolidation of American news media is an oft-told tale (Bagdikian, 1990; McChesney, 1999) of corporate mergers and MBAs in the newsroom, of a move toward homogenization of content and away from enterprise reporting and aggressive investigative reporting. Many media observers predict that mainstream news and

entertainment soon will be dominated by a handful of huge multinational firms (Turow, 1994).

The fury of the debate over media consolidation masks an equally, if not more disturbing trend: the conflict of interest inherent in diversified cross-ownership of newsgathering institutions by multinational concerns. A media market in which *The Washington Post* and *Newsweek* join in "strategic alliances" with NBC, Microsoft Corp. helps underwrite the salaries of reporters for MSNBC, and America Online helps capitalize CNN expands the potential for conflict of interest far beyond the individual to the institutional level. Indeed, the cross-ownership and content sharing that typifies American mass media today raises legitimate questions about whether journalists working in such far-flung conglomerates can avoid conflicts of interest on the institutional level.

The "synergy" so often cited by media buyers and sellers as a desired byproduct of consolidation creates other potential conflicts of interests. In 1999, after it was revealed that Time Warner Inc. had donated $78,000 in "soft money" to Republican political action committees and $80,000 to Democratic PACs, the company swore off further political donations (Kessler, 2000). Instead, the company vowed to spend $1.5 million on increased presidential campaign coverage. Instead of being used to bolster traditional coverage, however, the money was used to sponsor

presidential debates, including one at the Apollo Theater in Harlem featuring a "grip and grin" session between key Time Warner executives and the candidates, exclusive access to Time Warner journalists, and Time Warner logos splashed throughout the venue. Media observers were troubled. "The intersection of suits and candidates and journalists has tremendous potential for misconception by the general public," Charles Lewis, executive director of the nonpartisan Center for Public Integrity told *The Washington Post*. "The question is whether the news media is presenting information for the public or, like every special interest, are they getting while the getting is good for themselves?" (Kessler, 2000).

Likewise, the blending of journalism and entertainment -- encouraged, not to mention financed, by consolidation -- creates additional conflicts between corporate interests and public service. Consider, for example, what could happen if a group of citizens were to mount a serious media censorship campaign against such likely targets as cable TV porn and obscene rap lyrics. As Jim Squires, a former Chicago Tribune editor, argues:

> It is easy to imagine that Time Warner would raise its First Amendment shield and march behind it to Washington to oppose this assault on its profit centers. So would many other major media companies with whom Time Warner has significant financial dealings and mutual interest. But would this be fair to the watchers of CNN, the readers of Time and the customers of other journalism organizations with ties to Time Warner? How much fairness could censorship proponents and their political leaders expect

> from *Time* and CNN, or from any journalist assigned to the story? No matter how ethical, scrupulous and professional these journalists might be, their freedom from the appearance of conflict of interest would be gone (Squires, 1998, p. 69).

The nexus of commercialism and journalism confounds traditional notions of conflict of interest grounded in the ethics of personal behavior. Instead, media cross-ownership by diversified conglomerates introduces greater potential for perceived conflicts of interest fueled by the desire to maximize commercial gain in an effort to justify the investment in newly acquired businesses. Institutional conflict of interest extends the conflict inherent in a commercial press -- what McManus (1992) calls the conflict between "corporate interest in selling and journalism's interest in serving the public" -- beyond the immediate concerns of the journalist or even the news organization for which he or she works. That is, the trouble comes not in considering whether good journalism "sells" or what kinds of resources should be devoted to creating good journalism if such journalism doesn't improve the bottom line. Rather, the trouble is that journalism is not really conceived of as "journalism" at all, but as just another product alongside all the other products from which a diversified conglomerate expects to profit. The former seeks to reconcile the goal of serving the

public with the goal of making money; the latter ignores the first goal entirely.

Media institutions, through their codes of ethics, make promises to their customers to report accurately and impartially on the day's events (Day, 1991). The ethics codes of journalism are grounded in what Siebert, Peterson and Schramm (1956) described as the "social responsibility" theory of the press. The theory, popularized by the work of the Hutchins Commission (1947), embraced the democratic utilitarianism of unfettered information, in which the goal of journalism is not commercial gain but public enlightenment. The socially responsible news organization strives to provide the greatest social good; all other considerations are secondary.

That the press is often faulted for its shortcomings in providing the social good -- failing to treat others fairly, for example -- may be due, in part, to the inevitable clash of beliefs about what constitutes the social good. That is, it does not offer much guidance to say that journalists should always put the public first, if efforts to treat fairly one segment of the public produce ill effects from some other segment.

Even more fundamentally, as Romano (1998) argues, there is a gap between how journalists and philosophers conceive of fairness that may help explain the public's continuing dissatisfaction with aspects of journalism practice as well as

the need for a broader definition of conflict of interest. On one side of this "fairness gap" is a communitarian, philosophical conception in which fairness to people is paramount, on the other, an individualistic, instrumental notion that privileges fairness to the truth. Romano illustrates the difference by considering how each side of the gap might pose a primary question about press performance. Philosophers ask: "Is the *system* (emphasis added) of media coverage fair?" The press, on the other hand, asks " 'Is the press fair?' or 'Are the media fair?' as if the obligations and duties of one segment of the media system could be addressed in isolation" (Romano, 1998, p. 92).

Journalists, of course, treat fairness to the truth as a public service, rarely recognizing the latent tensions in attempting to pursue both. Indeed, because media consolidation creates so many levels of decision-making far removed from the daily work of journalism, this tension is effectively blocked from individual journalists' perception of potential ethical problems. Still, an individualistic, even isolationist, approach to appropriate journalistic behavior is evident in the profession's codes of ethics.

The ethic of journalism requires, at its heart, an accurate portrayal of the news of the day (Commission, 1947). From this central obligation spring several auxiliary obligations, among

them the prohibition on conflict of interest as an untenable interference with the gathering of unfiltered news. Conflict of interest inevitably introduces prima facie evidence of reporter bias; reporter bias contaminates credibility, goes the argument. News is a "credence good," a product which must be consumed on faith alone (Darby & Karni, 1973). Thus the institutional credibility underlying the news product is a precious commodity, and any effect on the reputation of the institution -- real or perceived -- is a matter worthy of inquiry.

Conflict of Interest in the Codes of Ethics

Conflict may arise when more than one party has a competing claim on a professional's actions, attention or goodwill. More specifically, conflict of interest involves "perverse incentives threatening the proper fulfillment of professional duties" (McMunigal, 1997, p. 1). This understanding of conflict is reflected in most codes though, as Wilkins (1995) points out, few codes of ethics include a definition of the term "conflict of interest" apart from anecdotal instances.

The ethics codes of almost every professional organization include a provision regarding conflict of interest (Gorlin, 1986). Indeed, the codes of professions as diverse as architecture and dental hygiene make reference to conflicts of

interest. Some appear purposefully vague; others are quite specific. The ethics code of the American Bar Association, for example, outlines three types of conflict of interest - actual, latent (or reasonably probable) and potential conflicts of interest, complete with examples and prohibitions on even the appearance of conflict of interest (Gorlin, 1986). Dental hygienists, however, are instructed only to "avoid conflicts of interest and declare them when they occur"(Gorlin, 1999, p. 303) while architects are instructed to avoid offering, making or accepting payments or gifts with the intent of influencing public officials' judgments about projects (Gorlin, 1999, p. 70).

Ethics codes in journalism also vary in their specificity regarding conflict. The American Society of Newspaper Editors, for example, instructs journalists to "avoid any conflict of interest or the appearance of conflict" (p. 194), while the code of the American Society of Journalists and Authors urges disclosure of conflict or potential conflict to a superior before accepting an assignment. The Society of Professional Journalists, whose code is perhaps most widely used, states that "journalists should be free of obligation to any interest other than the public's right to know" and lists specific problems, such as bowing to advertiser pressure, to be avoided (p. 200).

Wilkins's (1995) review of codes suggested that, lack of specific definitions aside, the anecdotes used to illustrate conflict of interest shared the following three concerns: 1) Exploiting a professional position for private advantage; 2) allowing financial, collegial, social or familial loyalties to interfere with professional loyalties; and 3) placing self-interest above duties to others. These three general concerns illustrate the similarity of codes in their understanding of conflict of interest as an individual-level problem. Executive search consultants, for example, are instructed to "protect their integrity, objectivity and loyalty by avoiding conflicts of interest with their clients" (Gorlin, p. 153, emphasis added).

Some codes, to be sure, will generalize the potential for conflict to the site of employment -- the agency, firm, or newspaper, for example. Still, this reflects largely "local" concerns. What is seldom addressed is the potential for the institution for which a professional works to be conflicted regardless of any action undertaken by individual professionals within the institution. It is perhaps not surprising, then, that recognition of any conflict inherent in ownership by a conglomerate is not apparent.

To be sure, institutional conflict may not be relevant for all professions. While the vast majority of codes either do not

specify what a conflict of interest might be or focus exclusively on conflicts arising when two patients' or clients' interests collide, some do acknowledge other constituencies, outside the immediate working relationship, to whom a professional is responsible. Wilkins (1995) found three professions -- journalism, college professors and government service -- in whose codes of ethics "the central professional loyalty focuses not on a relationship between individuals but on a professional's relationship with the larger society" (p. 28).

Other professions also acknowledge commitments to society. The National Association of Realtors takes a particularly broad view of responsibility to the public, stating in its preamble, "Under all is the land. Upon its wise utilization and widely allocated ownership depend the survival and growth of free institutions and of our civilization" (Gorlin, 1999, p. 238). The interests of the public, the preamble continues, "impose grave social responsibility and a patriotic duty to which REALTORS should dedicate themselves."

The code of the American Institute of Certified Public Accountants notes that "a distinguishing mark of a profession is acceptance of its responsibility to the public" and specifically identifies the groups comprising that public, including "clients, credit grantors, governments, employers, investors, the business and financial community, and others who rely on the

objectivity and integrity of certified public accountants to maintain the orderly functioning of commerce" (Gorlin, 1999, pp. 10-11).

Journalism codes also acknowledge the competing constituencies their professionals are called on to serve. The codes have much in common with, for example, the AICPA, particularly in terms of considering independence and objectivity to be the primary means for avoiding conflicts of interest and assuring that the profession meets its broader responsibility to the public. Unlike other codes, however, journalism codes and the codes of lobbyists and prosecutors also acknowledge the possibility that meeting their responsibility to the public may conflict with meeting their responsibilities to other constituencies. Even more important, these codes recognize that the potential for conflict exists at the level of the profession as well as the level of action by individuals in the profession. For example, prosecutors are instructed to subordinate protecting the rights of individuals to protecting the rights of society (Gorlin, p. 769). The codes of the American Society of Association Executives and the American League of Lobbyists state:

> The [association/professional] lobbyist accepts the fact that it is the system of representative government we enjoy that makes possible the practice of lobbying and, while keeping the interest of employer or client in a position of primacy, will temper the advocacy role with proper

consideration for the general public interest. (Gorlin, pp. 218, 714).

Even the codes of financial journalists, highly sensitive about conflicts of interest thanks to their ties to investment advice and Wall Street coverage, are largely silent on the issue of institutional conflict of interest. The Society of Business Editors & Writers (Society, 2000) urges its members to "avoid any practice which might compromise or appear to compromise objectivity or fairness," which seemingly would encompass institutional conflicts, but deals primarily with personal behaviors. Dow Jones Co.'s Code of Conduct (Dow Jones, 2000) likewise focuses almost exclusively on the personal investments of its employees and other forms of personal ethical behavior, with almost no mention of institutional obligations beyond broad pronouncements of maintaining a "position of trust" and "commitment to our principles." The codes of ethics, with their single-minded focus on individual acts, fail to adequately address the emerging ethical issue of institutional conflict of interest.

Resolving Institutional Conflict of Interest

The Internet is creating once unimaginable alliances between news competitors attempting to gain market share online.

On the Internet, television, newspaper, magazine and radio sites all are chasing the audiences, so alliances between media groups increases reach and the speed-to-market of online news products. These alliances challenge traditional ethical concepts such as conflict of interest, which traditionally has involved persons attempting to enhance their own interests to the detriment of the larger system of which they are a part (McGuire, 1978).

This conceptualization implies that the values and goals of the individual match those of the system, so that any attempt to increase personal gains will harm the larger system. As the popular definition of conflict of interest now stands, it fails to account for the reversal of the formula: that the system might act in ways directed at maximum *system* gain to the detriment of the individuals in the employ of the system. The problem with the traditional definition of conflict of interest, then, is that it assumes that the interests of the institution are always good, and that only the journalist, acting individually, can violate the norm. The onus, in a sense, is on the professional, not the profession.

Such a definition excludes those cases where right is on the side of the journalist, and the conflict of interest occurs at the system, or institutional, level. The current definition of conflict of interest must be revised to recognize the appearance of institutional conflict of interest. Appearances of

institutional conflict are every bit as damaging as real conflicts, given the nature of news as a credence product based on the faith of the readership as a determinant of perceived quality.

A definition of institutional conflict of interest, if ethics underlie it, must be situational in nature. It must not prejudge whether the institution or the individual is right or wrong; instead, it must focus the inquiry on whether the institution is seeking institutional gain at the expense of journalistic values. A revised definition of conflict of interest would weigh each participant equally:

> Conflict of interest occurs when the institution or individual has two or more interests, such that pursuing both might produce an unjustified effect on the real or perceived credibility of the institution or individual.

Such a conflict could emerge where one's personal interests are pursued to the detriment of the institution, or where the institution pursues an interest to the detriment of those engaged in the news function. It forbids only those interests that are so substantial that they likely will affect the proper role of the institution or of the journalist. The emphasis on credibility stems from the fact that not only the interests of the institution are harmed by conflicts of interest. Journalists are harmed when the companies they work for place themselves in ethically untenable positions.

The results of a conflict of interest may be positive, negative or neutral, if evaluated by institutional norms. To the public, however, any conflict of interest harms credibility. If professionals risk appearing incompetent for not having recognized and addressed individual-level conflicts, as Davis (1997) argues, institutional conflict leaves professionals in the particularly unenviable position of suffering for conflicts they could neither have foreseen nor avoided. "I had absolutely no idea" that Pets.com was partly owned by Disney, said *Nightline* correspondent Chris Bury, who used the sock puppet in the Peanuts' tribute, in a sterling example of a journalist blindsided by institutional conflict.

Given the current understanding of journalistic conflict of interest, it is not surprising that the remedies for rectifying those situations have consisted largely of removing temptation from and punishing the journalists who find themselves in conflicts of interest. Similarly, the early evidence shows that when news companies find themselves in institutional conflicts of interest, they respond by focusing not on the ethical dilemma of the institution itself, but instead attempt to solve the problem by moving personnel. Contentville is an excellent example. When Brill himself found his company -- created for the express purpose of independent media criticism -- in the middle of a clear institutional conflict of interest, he responded by

resigning as CEO and naming his longtime right-hand man as editor-in-chief. What, specifically, did this accomplish? It removed Brill himself from personal criticism, but did nothing to defuse valid criticism of an institution in a cross-ownership deal with many of the companies it purports to cover.

Nor does prominent disclosure, the other remedy frequently touted as the solution for institutional conflict, solve the ethical problem. Disclosure of conflict does nothing to rectify the ethical problem. In fact, it does little beyond publicizing the conflict, leading to greater public cynicism regarding the press.

Any solution to institutional conflicts of interest is not without costs. Returning to the definition offered above, where the effect on the real or perceived credibility of the institution or individual is unjustified, the conflict must be avoided altogether. This means that where the conflict is unavoidable, the institution must choose between the institutional benefits of the alliance and the journalistic costs of non-coverage.

That efforts to solve potential institutional conflicts of interest have consisted of disclosure and personnel shifts serves as an indication of the widening gap between ethical norms in the board room and the news room. In journalistic ethics, conflicts of interest are to be avoided at all costs; in

the business world, they are to be managed effectively. This cultural clash must be addressed, for the corporate decision-makers have little knowledge of the damage done by institutional conflicts.

The expanded definition of conflict of interest is offered as a framework for resolving instances of institutional conflict. As an addition to codes of ethics, the definition would expand the conversation about conflict of interest to include those who are striking the content alliances and initiating the mergers and acquisitions. The expanded definition would help executives by defining clearly the limits of acceptable conduct and would serve as a useful rationale for rejecting business proposals likely to create institutional conflicts of interest.

Some institutional conflicts of interest situations could be resolved by organizational policies revised to address the problem. Policies designed to control situations which might create institutional conflicts of interest would appear to be desirable for all journalistic organizations, but it is clear that such conflicts will arise, codes or not. Still, in the final analysis, clearly delineated organizational policies based on the definitional approach outlined here would at least provide limits beyond which organizations will have to defend

their actions. Such guidelines will require much more study of conflicts of interest at the institutional level.

More research is needed to discover whether the definition suggested by this study can effectively minimize institutional conflicts of interest. Quantitative studies linking different kinds of newsroom alliances to frequency of conflicts, as well as in the amount and nature of conflict, would also be informative. Quantifying conflict of interest at the institutional level could lead to comparison with conflicts of interest at the individual level. No matter the course, much research in this area remains for succeeding scholars.

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Contractualist morality in news reporting: What journalists owe to story subjects, news sources and the public

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Introduction

Criticism of the mass media is hardly a new development in the United States, however intense recent scrutiny may appear in the aftermath of the painfully detailed coverage of the Clinton/Lewinsky scandal, the press's perceived role in the death of Princess Diana, and the pervasive coverage of the O.J. Simpson trial. Americans historically have been wary of the power of the press and critical of any suspected misuse of that power, while still embracing the freedom from government control a free press represents.

From the early charges of "yellow journalism" to the panic caused by Orson Welles' "War of the Worlds," the power of the mass media has not only been recognized, but has often been magnified in the minds of the public. Early communications theories supported these public fears. The Mass Society and Propaganda theories, both dealing with mass control of public mindsets, and Walter Lippmann's notion that the media were responsible for providing the masses with "pictures of the world" attributed the mass media with the power to implant opinions, beliefs, and attitudes into the communal consciousness (Lippmann, 1922). Following World War II and Hitler's use of the mass media to spread his message of hate and racism throughout Germany and neighboring countries, people were particularly sensitive to the idea of mental control of the public. Having witnessed the tragic results of manipulation of the mindsets, and thus the actions, of the masses, public wariness within the United States was high.

A number of more recent theories have tempered this "all powerful" image of the mass media, citing limited effects of exposure to media messages, including "framing" of news content so that seemingly objective reports are interpreted in specific,

predetermined ways, "schema" theories that support the media's ability to present news stories in such a way as to trigger previously formed ideas, and intense study of behavioral effects, particularly in the area of television's contribution to aggressive and violent behavior. These more conservative theories support the idea that exposure to mass media has some effect on attitudes and behavior, but far more limited effects than previously believed.

Among the limited effects theories, McCombs and Shaw's theory of agenda setting, that the mass media set the agenda of public concern, has been regarded as highly plausible (McCombs & Shaw, 1976). The basis of agenda setting was succinctly expressed by Cohen, who stated that the mass media may not be successful in telling the public what to think, but is "stunningly successful" in telling them what to think about (Cohen, 1963). Further study by Shaw, however, has pointed toward the idea that repeatedly telling the public what to think about is substantively telling them what to think.

That a free press is an important element of maintaining a democratic society is supported by both the Constitution and the U.S. legal system. A fear of government control of the mass media has promoted private ownership of means of mass communication, with each medium relying on selling access to its readers or audience to advertisers, or on subscription income (traditionally applicable to print media, but online news sources and cable stations also have "subscribers").

The key duty of a journalist is the distribution of information, "a traditional role that often puts the journalist at odds with individuals and power brokers who want to keep power by controlling information" (Black et al., 1995, p. 31). Philosopher Carl Friedrich

discussed the democratic principle that supported journalism in terms of the need for many sources of information: "... since everyone is fallible in making decisions, society needs the collective judgments of many fallible people to produce valid social decisions and solve social problems" (cited in Black et al., 1995, p.31). Open communication has been given special status in American society, and that special status is supported by the unparalleled freedom to inform without government interference conveyed by both First Amendment protection and numerous court rulings (1995).

This special status, however, brings special responsibilities: the public retains its own First Amendment rights to criticize the media that it has so protected. "Journalists must decide for themselves, rather than have others decide for them, what information they will distribute, and what form that information will take" (Black et al., 1995, p. 31). Freedom of the press has meant that anyone is free to become a journalist, that there is no requirement of training or licensing, and that journalistic codes are, therefore, advisory rather than mandatory. A journalist can be true to the implied mission of service to his or her audience by giving "voice to the voiceless" (p.33) or not, the only controls over his or her behavior being the necessity of maintaining an audience or the likelihood of his or her continued employment by a responsible medium.

A society dependent upon the media for its information will demand a degree of accountability from its practitioners far beyond the minimum requirements of the law. Media transgressions are made in public and discussed in public, and journalists are often called upon to defend publishing decisions. These defenses must be more than falling back on Constitutional and legal protections. A journalist should be prepared to articulate the morality of decisions and actions in terms of journalistic obligations to the public.

Scanlon's contractualist theory

The contractualist theory argued by Tim Scanlon is centered on the notion that judgments of right and wrong "are judgments about what would be permitted by principles that could not reasonably be rejected by people who were moved to find principles for the general regulation of behavior that others, similarly motivated could not reasonably reject" (Scanlon, 1998, p.4). His version of contractualism can be applied to journalistic practice in numerous ways. The idea of justifiability to others seems to fit the American notion that a free press is an important element of democracy and answerable to the public. That there is an implied contract between the public and the media is evidenced by the existence of special privileges conveyed to the media through both the Constitution and the legal system. Those privileges are given with the express dual purpose of encouraging the free flow of ideas so that citizens can make informed decisions and of redistributing power from the government and societal institutions to the people (Black et al., 1995, p. 33). In accepting the "special status" of a free press and enjoying its benefits, the mass media, knowingly and voluntarily, enter into a type of promissory arrangement with the public in which the public has the right to rely on the fulfillment of certain expectations and the press accepts the obligation to perform accordingly (Scanlon, 1998). This implied promise is no less binding because there is no written or oral contract containing the words "I promise," or other words to that effect, although it could be argued that the wording of the First Amendment is sufficient since it outlines the expected benefits to society of a free press. Scanlon's view is that the fact that a promise is made, implicitly or explicitly, is an indication that the promiser is aware that it would be morally wrong not to fulfill the obligation imposed (1998). Journalists,

individually or as a group, are thus subject to moral criticism when they are responsible for a breach of duty or obligation to the public.

As a whole, journalists are well aware of legal requirements, and while the courts are often kind to the press for fear of reducing the free flow of information, there are certain protections for news subjects, particularly those who are considered "private persons" as opposed to "public persons," as well as requirements of taking "reasonable care" as to truth and accuracy. The requirements of law, however, are minimal, and do not encompass the full range of moral and ethical obligations that journalists have both professionally and as individual members of society.

A primary value of a democratic society is the right to freedom of expression. Journalists, in invoking the First Amendment in their defense, often fall back on this value as if it were a blanket excuse for otherwise unjustifiable actions. Scanlon argues that understanding the value of something, in this case freedom of expression, is often more than knowing that it is valuable or how valuable it is, but also knowing how it is to be valued (Scanlon, 1998). Part of taking freedom of expression as a value, for both journalists and the greater public, is "knowing what kinds of actions and attitudes are called for" (p. 99).

> Presented with a range of examples of governmental regulation of expression, people who understand freedom of expression will agree on a wide range of judgments about which of these involve violations of the First Amendment and which do not. These cases are sufficiently varied that it would be difficult to explain our convergent judgments as applications of any statable rule. How, then do we arrive at these judgments? We do so, I believe, by appeal to a shared sense of what the point of freedom of expression is and how it is supposed to work: why restrictions on governmental power to regulate expression are necessary, what threats they are supposed to rule out, and what it is that they are trying to promote. (p. 200)

Acceptance of the responsibility of a public trust to honor the value of freedom of expression and to fulfill the obligations of a free press in a democratic society is a heavy burden. Add to that the inevitability of criticism, moral and otherwise, and journalists would appear to need some guidelines to assist them in deciding what actions to take. The need of journalists to have good reasons supporting their actions becomes apparent when one considers the likelihood of a journalist being required to go beyond hypothetical justification of actions, e.g., personal reflection or newsroom discussion, to actual justification, either to those directly involved in a news story or to the news audience in general.

Traditional media, in particular, are concerned with the current negative public image of the mass media in general and loss of credibility (Newport & Saad, 1998). A source of special concern is the burgeoning number of news sources, including those presenting news dressed up as entertainment and others that simply provide unfiltered information. A 1998 Gallup Poll found:

> Americans have generally high levels of trust in many of the major sources of news and information to which they are exposed, but are quite discriminating and negative, in their views of others. Broadcast news has higher credibility than print. Prime time TV newsmagazines are both popular and highly trusted, as are local television newscasts. And both are more trusted than the networks' nightly newscasts. The direct-to-the-public information sources such as C-SPAN and the Internet have yet to register much of an impression of any kind with the bulk of the American population. (Newport & Saad, 1998, p. 30)

Media ethics came to the forefront in the 1980s, when the "accumulated distrust of the news media, skepticism of journalists' ethics, and a resentment of media power" (Anderson & Leigh, 1992, p. 113) came to be seen as a nearly permanent feature of American society. The result of a few media scandals, including the instance where a

Pulitzer Prize awarded to *Washington Post* reporter Janet Cooke was withdrawn due to story fabrication, led to a new caution and concern with ethical standards. Edmund B. Lambeth called for the press to "articulate principles of performance that are publicly visible, ethically defensible, and rooted clearly in a philosophic tradition that continues to justify a free press" (as cited in Anderson & Leigh, 1992, p.113).

Lambeth, while encouraging accountability, was not promoting timidity in reporting, and he further urged journalists to "report and edit humanely, pursue justice and value freedom so effectively that they become stewards of free expression" (Lambeth, 1992, p. 204).

The new caution was viewed with dismay by some media observers who felt that "in their well-intentioned zeal to be increasingly ethical, some journalists may have avoided stories that should have been brought to the attention of the public" (Anderson & Leigh, 1992, p.113). Attempts to find the fine line separating "aggressive, solid, reporting from unethical, sensationalistic journalism" (p.113) led to widespread development of journalistic codes of ethics. A 1991 survey of 103 newspaper editors and television news directors (1992) found that about 96 percent agreed codes of ethics were important for journalists, favored broad guidelines, and most had guidelines either posted (28%) or distributed to their staffs (54%).

Making ethical decisions is not simply a function of having a code or guidelines in which to "find the answer." Journalistic ethical decisions are often complex, involving the development of a range of acceptable actions, after ruling out unacceptable actions, and choosing among them. Choices of action often are easily made and justified until one confronts an ethical dilemma, the resolution of which requires weighing competing

reasons and values. "Ethical decisionmaking entails competition among values such as truthtelling and compassion, courage and sensitivity, serving the public and protecting individual rights" (Black et al., 1995, p.39).

Blind dependence on codes of ethics is not a satisfactory solution to problems of ethical breaches of the media, as it is then the guide not the journalist that defines what is or is not ethical and it is possible for guides to be both faulty and misapplied (White, 1996). "A written code of ethics... cannot be created that will encompass each and every eventuality a journalist is likely to encounter. Sooner or later, all journalists will encounter an ethical situation that is unique" (p.26).

Making ethical decisions

How a journalist copes with a unique situation where competing values and reasons indicate different possible actions may be the true test of his or her ethical mettle.

> There are two ways to make ethical decisions. One is to decide what to do by weighing the consequences of your actions. The second is to decide according to the principles of duty. It is tempting to think of these alternatives as mutually exclusive, but in the real world, the lines between them get somewhat blurred. (Black et al., 1995, p.41)

Weighing of consequences only will often result in consideration of only short-term consequences of a single action since long-term consequences may be complicated by combinations of actions and are more difficult to predict. Considering consequences alone can lead to an "end justifies the means" type of thinking (Black et al., 1995), while concern with only obligation and duty can cause unnecessary harm because in considering obligations to a specific value or person, one may disregard the consequence of disvalue or harm to others. In Scanlon's view, "what we owe to each other" will be

based on both reasons that weigh consequences and reasons considering obligation and duty, since both types of considerations are encompassed in what we can be said to owe to each other (Scanlon, 1998).

An accepted principle of journalism is that "the duty of distributing truthful information is the foundation of journalism" (Black et al., 1995, p. 42). The Society of Professional Journalists have adopted a code that in its simplest form sets forth the ethical duties to seek truth and report it as fully as possible, to act independently, to minimize harm and be accountable (1995). These very broad guidelines are accompanied by more detailed ideas of how these ethical values should be incorporated into journalistic practice, including exhortations to be honest, fair and courageous in gathering, reporting and interpreting information; to treat sources, subjects and colleagues as human beings deserving of respect; to be free of obligation to any interest other than the public's right to know; and to be accountable to readers, listeners, viewers and each other (1995). Within these guidelines of journalistic obligation, considerations of consequences routinely appear, since fulfilling these duties, particularly minimizing harm and accountability, depend not only on considerations of duty but also of end results.

Codes of ethics provide journalists with outlines of ethical obligations that are broad and can be interpreted in a number of ways. Their purpose is not to direct specific behavior, but to provide an overview of what journalists owe to others by virtue of the undertaking of journalism as an occupation. Interpreting these codes and fulfilling these duties require that journalists develop not only an internalized professional ethic, but some strategies for testing whether a proposed action is "justified" by virtue of its being in concert with both the ethical requirements of journalism and morality. By Scanlon's

account of contractualism, the "ideally rational" person would be in possession of full information of a situation and its consequences, have an awareness of the full range of applicable reasons as well as flawless reasoning of what these reasons support (Scanlon, 1998, p.32). It is unlikely that an individual journalist could achieve this level of perfect knowledge and flawless reasoning, but it seems possible to require a journalist to be reasonable and take into account, as far as it is possible, a full range of information and relevant considerations, including other people's reasons to accept or reject an action.

Strategies for such ethical decision making include models, worksheets, and questions for journalists to consider. The first step in many of them is simply to recognize that there is an ethical issue present that must be dealt with. Many of the complaints against the media center on the thoughtless manner in which hot pursuit of a "good story," desire to be first with a story, or the rush to deadline (and more recently the pressure to "go live" with a story) appear to transcend ethical considerations, not because the journalist would not have, upon reflection, recognized these ethical considerations as relevant, but because he or she did not recognize that such reflection was called for. The fact that a journalist did not take the opportunity to consider the reasons that exist leaves him or her open to moral criticism, and charges of unethical practices. In some cases, in haste, a journalist might take a consideration as a reason simply because it "seems" to be a reason, such as the fact that a story is "good" or that there is a chance to beat the competition to that story. In Scanlon's view:

> To say that something 'seems' to be a reason is not the same thing as to say that I think it is a prima facie reason. Seeming to be a reason is merely a matter of appearing to be one. I may decide, on reflection, that this appearance is illusory and that it is not a reason at all. (Scanlon, 1998, p. 65)

Beyond recognition of an ethical question, there are some variations among the models. Rushmore Kidder's Ethical Decision-Making Model (Kidder, 1995; Baker, 1997) offers nine checkpoints:

1. Recognize that there is a moral issue – identify the moral dimensions
2. Determine the actor – "If this is a moral issue, whose is it? Is it mine?"
3. Gather relevant facts – "not to know [all the facts] leaves crucial voids in the understanding. Why? Because ethics does not happen in a theoretical vacuum, but in the push and pull of real experience, where details determine motives and character is reflected in context" (Kidder as cited in Baker, 1997, p. 200).
4. Test for right-versus-wrong issues – Kidder defines these as cases that require a judgment between right and wrong or "moral temptations."
5. Test for right-versus-right issues – "Ethical dilemmas have good and right arguments to commend them on all sides of the situation. They require careful moral reasoning to arrive at the most appropriate action" (Baker, 1997, p.201). Examples of right-versus-right issues, described as "classic tensions in most ethical dilemmas," include: Truth vs. Loyalty, Individual vs. Community, Short Term vs. Long Term and Justice vs. Mercy (e.g., individual vs. community is the classic tension in privacy cases).
6. Apply the resolution principles— Kidder cites the resolution principles as "end-based principles (utilitarianism ethics), "rule-based principles" (deontological ethics), and "care-based ethics" (Judeo-Christian ethics or Golden Rule).
7. Investigate the "trilemma" options – search for alternative ethical courses of action that achieve ethical outcomes
8. Make the decision – Baker adds the stipulation that in making this decision one should consider on what basis the decision can be defended and justified (Baker, 1997).
9. Revisit and reflect on the decision – This final step is a "feedback loop" in which, after the action is taken, the clearer view of hindsight is called upon to guide future ethical decisions.

Another model of ethical decision making, developed by philosopher Sissela Bok, has been applied to the practice of journalism (Patterson & Wilkins, 1998). This model,

introduced in her book, *Lying: Moral Choice in Public and Private Life,* is based on the premises that we must have empathy for the people involved in a moral choice and that maintaining social trust is a fundamental goal (Bok, 1978). Once an ethical question is identified, Bok suggests that it be examined in three steps:

Step 1. Consult your own conscience about the "rightness" of an action.

Step 2. Seek expert advice for alternatives to the act creating the ethical problem.

Step 3. Conduct a public discussion with the parties involved in the dispute.

This model is quite different from Kidder's in its appeal to a person's intuition of the "rightness" of an action, in including "experts" in the search for alternatives (living or dead, writers, philosophers or other admired and trusted individuals), and in the notion of conducting a public discussion. The latter step in making a decision seems particularly plausible when an individual is making a personal ethical decision. An ethical dilemma involving friends or members of one's family might easily lend itself to this type of discussion, or a public discussion of an issue involving property rights might bring about a resolution agreeable to all. In most cases involving a journalist, it is most likely that such a conversation might take place within the newsroom with other journalists and editors attempting to voice possible viewpoints of story subjects, news sources and the audience. This third step seems to be most practical, in terms of the time pressures of most news operations, in its hypothetical form. If a journalist can gain the insight of other journalists in the resolution of an ethical challenge, it is certainly to his or her advantage to do so, but ultimately the decision, and the subsequent responsibility for that decision, lies with the individual journalist.

Scanlon's notion of justifiability to others seems to be closely related to this last step in Bok's model. Since actual justification of actions or beliefs only makes sense in relation to those we are in personal contact with, Scanlon says, "... what I am claiming to be central to moral motivation is not the activity of actual justification to others... but rather the ideal of acting in a way that is justifiable to them, on grounds that they could not reasonably reject" (Scanlon, 1998, pp. 168-169). In addition, in his discussion of reasons, several points seem to be particularly applicable to the idea of hypothetical discussion of an ethical question with the parties involved. "Different people can have different reasons for action, because of differences in their circumstances, their interests, and their intentions" (p. 72). He suggests that when a conflict occurs, it may be that different information available to the various parties needs to be examined to see if a revision in one's reasoning is needed. This would certainly be easier to accomplish if all the parties could sit down together and discuss the issue, but a journalist wishing to justify present and future actions would do well to be sensitive and cognizant of the various reasons other people take "to count for" actions. Scanlon's reasons to care about other people's reasons seem to directly apply to exercising the Bok model:

1. "... because they might be correct and I might learn something from them" (Scanlon, 1998, p. 74).
2. "... they may represent an emerging consensus that will affect me" (p.75).
3. "... continuation of our common life might be threatened" (p. 76).
4. Concern with reasons that "others take themselves to be governed by in deciding how to treat you" (p. 76).

The first two seem particularly relevant to a hypothetical discussion where each party affected by an action voices his or her reasons for or against such an action,

although the latter two reasons are not without application to journalists in terms of retaining an audience and anticipating public criticism. The suggestion that other people's reasons might be correct and that a journalist might learn something from them appears to be the most salient of the reasons for caring about what these reasons might be. A journalist's mission of "giving voice to the voiceless" requires that he or she be concerned with the reasons of others, not only in making ethical decisions but also in the normal course of reporting. A reporter who is constructing a news story concerning an individual or a group of individuals or dealing with a news source cannot provide an accurate, contextual report without some knowledge of the reasons and motivations of the people who play important roles in the story. A journalist who has reasonable knowledge of the players involved ought to be able, with a degree of confidence, to take into account the reasons these players might have to "promote" or "prevent" an action by which they are affected (1998).

Emerging consensus may be important for a journalist to consider since it is not unlikely that several of the involved parties to an action he or she may take may ascribe to the ideas represented by the new consensus, and entirely likely that members of the audience, as indirect parties, may also hold that view. Whether the view is in conflict with the view of the journalist or even with the resulting decision is irrelevant to whether or not the view should be considered during the decision making process.

Other guidelines for ethical decision making suggest additional steps to the process. One entitled "Steps to Unraveling Cases of Media Ethics" suggests separating involved parties into "primary" and "secondary" stakeholders, looking at the results of similar or related ethical decisions, judging who will gain the most or lose the most if the

action is taken and determining if economics plays a role in the decision. While the other considerations seem to stem from considerations already suggested in other models, the idea of looking at an economic role is particularly intriguing. It appears to be more of an organizational concern, on its face, but organizational concerns often become the concerns of individual journalists when the pressures of making a profit and retaining audiences and advertising shape newsroom decisions. There can be no doubt that economic pressures are the reason that journalists often make ethical decisions under extreme time pressures, such as whether a television station decides to go "live" on a breaking story or whether to quote an unnamed source rather than searching for someone who will go on the record with the information in order to get the story into the morning edition of a newspaper.

A University of Oregon journalism class offers students a "Worksheet for Ethical Decision Making" with eight guidelines:

1. What is the ethical issue/problem?
2. What immediate facts have the most bearing on the ethical decision you must render in this case? (potential economic, social or political pressures)
3. Who are the claimants in this issue and in what way are you obligated to each of them?
4. What do you think each of these claimants would prefer that you do regarding this issue?
5. List at least three alternative courses of action. For each alternative, ask the following questions:
    - What are the best- and worst-case scenarios if you choose this alternative?
    - Will anyone be harmed if this alternative is chosen, and how will they be harmed?

- Would honoring any idea/value (personal, professional, or other) invalidate the chosen alternative or call it into question?

- Are there any rules or principles (legal, professional, organizational, or other) that *automatically* invalidate this alternative?

6. Consider the following ethical guidelines and ask yourself whether they either support or reject any of your alternatives?

Guidelines based on consequences:

- Is the "good" brought about by your action outweighed by the potential harm that might be done to anyone? (John Stuart Mills' *Harm Principle*)

- To what degree is your choice of alternatives based on your own or your organization's best interests? (Ethical Egoism)

- Which of the alternatives will generate the greatest benefit (or the least amount of harm) for the greatest number of people? (Utilitarianism)

- Are you choosing the alternative that gives priority to that which boosts the human spirit? If not, why not? (Ethic of Care)

Guidelines based on the action itself:

- Do you "owe" any of your claimants based on:

  -- a promise/contract you made (implied or express)? (Fidelity)

  -- a wrong you committed that you now have to make up? (Reparation)

  -- gratitude for something one of the claimants did for you? (Gratitude)

  -- the merit of the claimants when compared with each other? (Justice)

  -- your ability to help someone out who needs and deserves help? (Benificence)

  -- your ability to avoid harming anyone unnecessarily? (Non-injury)

- Are you willing to make your decision a rule or policy that you and others in your situation can follow in similar situations in the future? (Immanuel Kant)

- Have you or will you be using any person as a means to an end without consideration for his/her basic integrity? (Kant)

7. Determine a course of action based on your analysis.
8. Defend your decision in the form of a letter addressed to your most adamant detractor.

This model was designed to instruct students of journalism in the types of considerations necessary to achieve well-reasoned ethical decisions. In its present form and with the instructions given to the students (not included here), its use would be far too time-consuming for the average journalist in the average newsroom, particularly step eight which asks for a written defense of the decision. A less formal application of these guidelines, however, with many of the steps incorporated into the mental processes of surveying what reasons there might be to either "promote" or "prevent" an action, seems both possible and desirable.

Particularly relevant to Scanlon's version of contractualist theory is the section concerning what a journalist might "owe" a claimant based on a variety of actions and attitudes. The first of these obligations is that of honoring a promise or contract with any of the claimants to an ethical decision. The first promise or contract that must be considered is the implied obligation a journalist undertakes in accepting the freedoms and protections conveyed upon the media by the First Amendment. This implied obligation has been labeled by scholars as "The Social Responsibility Theory of the Press," which is in essence a promise that the mass media "will provide citizens with what they need to know to get along in political society"(Patterson & Wilkins, 1998, p. 152). Honoring both this promise and the value of freedom of expression is central to a person choosing a career in journalism, and, in making this career choice, forming the intention to play a

key role in a democratic society, that of distribution of information that is free of government control.

Journalists make numerous other promises in the course of reporting the news that can affect those people who become integral parts of news stories, subjects of the news and the sources from whom news is obtained. A promise of confidentiality to a source obligates a journalist not to release the name of a source. Fidelity to such promises has sent many a journalist to jail for refusing to reveal the sources of their information on criminal proceedings, and to those journalists, and many others not so harshly tested, honoring the value of keeping a promise of confidentiality and protecting sources from retribution and discovery is both ethical and practical. Sources quickly "dry up" if journalists cannot be relied upon to honor promises of confidentiality, and journalists who lose prime sources are severely hampered in investigative reporting.

Promises of confidentiality are also made to story subjects in the case when a topic is particularly salient to public interest or to certain disadvantaged or otherwise victimized groups within society. Thus stories about teen-age mothers, incest victims, the homeless, welfare recipients, drug addicts, or rape victims might protect the identity of subjects, if the subjects so desire, in an effort to avoid further victimization of the subjects, either through public embarrassment or because those involved simply insist upon anonymity as a prerequisite to participating in the telling of a socially important story.

Seen from the viewpoint of Scanlon's version of contractualism, these promises are asked for by sources and subjects or offered by the journalist because there is doubt on the part of the sources or subjects as to the self-interested motivation of a journalist to

preserve anonymity without the express obligation of keeping a promise (Scanlon, 1998). The principles of promise-making and promise-keeping invoked by Scanlon as relevant to moral requirements for individuals are directly applicable to journalists, who while working for an institution, are personally responsible for the news they distribute and the promises they make in obtaining that news. Principle M, which deals with manipulation, states that it is not permissible to mislead a person into believing that some reciprocating act will occur when one has no intention of reciprocating as expected, "in the absence of special justification" (p. 298). Promisees have the "right to rely" on the fulfillment of a promise made by journalists, as they would a promise made by any other person, else a promise made by a journalist would have no motivating power in persuading subjects and sources to cooperate in the obtaining and distribution of information.

Another principle directly applicable to journalists is the Principle of Due Care, which states that due care must be taken not to lead someone into false expectations if they would suffer a loss if those expectations were not fulfilled (Scanlon, 1998). This principle is particularly applicable to journalism in cases where the subject or source is not accustomed to attention from the media, is young and inexperienced, or is otherwise unused to public exposure, and has therefore not taken the precaution of extracting an explicit promise from the journalist. In such cases, when the journalist is aware that the subject or source is relying on confidentiality and will suffer if confidentiality is not respected, but the words "I promise" have not been asked for or offered, the journalist is not released from the obligation of an implicit promise. The Principle of Loss Prevention requires that if one has not taken due care to prevent false expectations, then one must take reasonable steps to prevent a resulting loss. The fact that this principle is highly

unsatisfactory in application to journalism serves to increase the obligation to honor the Principle of Due Care (1998). If a subject or source is relying upon confidentiality and that promise is not kept, there is little a journalist can then do to prevent the loss that a breach of confidentiality may cause. If avoiding public embarrassment, loss of esteem or employment, or loss of privacy are the reasons for wanting a promise of confidentiality, then once the identity of a source or subject has been made public knowledge, the journalist cannot "take it back" or undo the action in any substantive way.

Scanlon's Principle of Fidelity, as applied to journalists, would require that a journalist who has led subjects or sources to expect a certain action (whether it be confidentiality, considering certain topics or remarks as "off the record," or any other expected action of commission or omission), knowing that the sources or subjects want assurance of that action, gives that assurance in the knowledge that it is being relied upon, then, "in the absence of special justification," the journalist must perform the action unless released from performance by the subjects or sources (Scanlon, 1998). Within the field of journalism, such assurances may be given when a story has not been uncovered by other journalists or when sources or subjects feel the information will not be discovered by other members of the media. Once a story has "broken" and the identity of those to whom confidentiality has been promised exposed or "off-the-record" topics publicized, it may seem that the journalist is then automatically released from his or her promise, since any loss suffered by a promisee has already occurred. In Scanlon's view, however, an obligation, once made, continues unless one party releases the other from the obligation, and warning the promisee that the obligation will not be fulfilled is not sufficient to release a promiser from the obligation. As applied to the journalist, this

could be interpreted to mean that if he or she then wishes to be released from a promise to sources or subjects, even in light of previous publication of the same information that the journalist promised to withhold, express release from the obligation by the sources or subjects is required.

Accuracy and fairness are basic tenets of codes of ethics and other guidelines to ethical journalistic behavior, yet deadline pressures, sloppiness, and lack of resources to investigate stories obtained through wire services or other sources often lead to violation of these primary journalistic values. The previous discussion of promises of confidentiality notwithstanding, relying on anonymous sources for news information is not a highly regarded practice within journalistic circles. Sources who have been assured of anonymity suffer no losses when the information they have supplied proves untrue or faulty in some way. The journalist, and the medium through which he or she distributes information to the public, may, however, suffer a severe loss of credibility with the audience. In spite of the high price of relying on false information provided by a source with little motivation to be accurate, use of anonymous sources has grown dramatically in recent years. Dan Thomasson, editor of Scripps Howard News Service in Washington, attributes this trend to Watergate, stating, "Watergate was from beginning to end a leak story with the leaks coming from official Washington" (Thomasson, 1998, p.14). While he acknowledges the need to use unidentified sources in reporting particularly volatile events, Thomasson cites the resulting loss of credibility with the public, stating, "Anonymous quotes to back up a reporter's own conclusions are always suspicious whether they should be or not" (p. 14).

Public suspicion aside, unidentified sources have little to lose by lying or misleading journalists, whether or not they recognize a moral requirement to tell the truth. Journalists relying on anonymous sources put their reputations, and that of the publishing outlet, on the line. Thomasson calls upon journalists to use anonymous sources in only rare and essential cases, to require accountability of sources on routine stores, and to "be extremely diligent in our attention to the rules of fairness and accuracy" (Thomasson, 1998, p. 15). It is far too easy for an anonymous source to impugn others, and for the media to be complicit in false accusation and publication of inaccurate information.

Unfairness can be charged even where information is essentially accurate. When security guard Richard Jewell first hit the media as the hero of the 1996 Atlanta Olympics bombing incident, he was portrayed as the average working man turned hero by virtue of his quick reactions in moving people out of harm's way. Then, as often happens, he was questioned as a possible suspect since he was on the scene and had opportunity to plant the bomb. Once that seemingly benign piece of information hit the *Atlanta Journal*, quickly followed by newspapers and broadcast news throughout the world, Richard Jewell was suddenly transformed by the news media into a person with a "bizarre employment history and aberrant personality who was guilty of criminal involvement" (Toolan, 1997, p.20) in the park bombing. His notoriety continued far beyond any consideration of him as an actual suspect, and he recently stated in a television interview that in spite of public vindication, the loss of privacy and the belief by some in his guilt has continued. The debate within the industry of when a suspect's name should be printed has continued as well. If the media had gone no further than reporting Jewell's

questioning and later reporting that he was no longer under investigation, both true and accurate, unembellished statements, rather than having pried into every detail of his life, including "hypothetical" psychological profiles, the harm to Jewell and the charges of inaccuracy and unfairness of the media might have been minimized or largely avoided.

A journalist should take accuracy and fairness to be journalistic values, and, in much the same way he or she approaches the value of freedom of expression, understand how to value them in the course of pursuing a career in newsgathering. Journalists knowing what attitude to take in approaching these basic journalistic values would be unlikely to be hasty or careless in the gathering of information, taking the values of accuracy and fairness as providing reasons for the actions of careful gathering of the facts, requiring multiple sources for information obtained from others, and careful weighing of competing reasons for reporting facts that might cause someone harm. "Fairness means pursuing the truth with both vigor and compassion, and reporting information without favoritism, self-interest, or prejudice" (Black et al., 1995, p.53).

Reporting the news often brings harm to the subjects and sources of news stories. In some cases, publicity is sought, and responsibility for the resulting harm is essentially, legally and ethically, assigned to the individual. In other cases, where criminal activity, unethical behavior, or involvement in government corruption bring individuals into the news, responsibility for the revelation of those activities bringing harm to the individuals is also largely assigned to the involved parties. There are numerous other cases, however, when a person is simply an unwitting party to an event or accidentally brought to the attention of a journalist as the subject of an important story. In either case, the journalistic ethic of minimizing harm should guide publication decisions, essentially by providing

accurate and relevant information and context to the public without embellishment or bias. In the case of the person who accidentally stumbles into the public arena, journalists should take special care to prevent any harm not justified by an overriding consideration of the public's need for the information presented.

> The public has a need for much information that others, for a variety of reasons, would like to keep private.
>
> There is value in citizens' knowing about certain activities of public officials, even though the officials may wish to restrict flow of that information. There is also value in the public's knowing about meaningful details of accidents, tragedies, and crimes, even though the gathering and distribution of such details might invade someone's sense of privacy. Such stories highlight the journalist's dilemma in balancing the competing ethical principles of truthtelling and minimizing harm. (Black et al., 1995, p. 181)

The journalistic ethic of minimizing harm should not be confused with eliminating harm. In serving the public interest in "seeking truth and reporting it as fully as possible" (Black et al., 1995, p. 181), harm to individuals who feel that their privacy has been invaded is certain. The obligation of minimizing harm does not override the public interest, but the dual obligations must be weighed against each other, with the public interest being the primary ethical concern for journalists.

Scanlon holds that recognizing the value of human life is a matter of respecting the force of the reasons individuals have for wanting to live and wanting their lives to go well. The need for personal privacy is often considered by individuals as a necessary requirement of well-being, and Scanlon addresses this by saying, "People need to be able to conduct parts of their lives protected from the scrutiny of others whom they have not chosen to admit, and people generally need to have some forms of private communication" (Scanlon, 1998, p. 339). His notion is that when certain boundaries

between "private" and "public" space have been established by society, those rules are binding even though some may not agree.

In applying the rules of privacy to journalistic practice, Scanlon might be interpreted in a number of ways. On one hand respect for the value of human life could be construed to include promoting the well-being of an individual by promoting his or her aims. However, Scanlon also recognizes that while there is an obligation to fulfill one's duties and obligations toward a person, there is no obligation to promote their every aim. If a person's aim is to preserve his or her privacy, respect for human life might reasonably require that a journalist minimize intrusion into an individual's "private" space where doing so does not require too great a sacrifice. What might be considered to be "too great a sacrifice" to a journalist who has undertaken an obligation to the public interest could be the withholding of relevant civic information in an effort to preserve the privacy of an individual.

Conclusion

All of the guidelines and codes of ethics herein examined call upon journalists to be answerable to the public they serve and prepared to defend and justify their journalistic decisions. Scanlon's theory of requiring justifiable reasons for actions also calls for moral criticism when actions cannot be justified, even when those actions were not intentional. "A person can be criticized, and asked to provide justification or acknowledgment and apology, for things that seem to have been done inadvertently in a situation in which advertence is called for" (Scanlon, 1998, p. 272). In such a case, Scanlon would say that a journalist was responsible for the action in that the action was

attributable to the journalist and substantively a direct action taken by the journalist voluntarily (1998). As far as the action having been done inadvertently, this can be viewed as a failure to consider the full range of reasons counting for advertence of such an action.

Scanlon's contractualist theory is a social contract theory embracing the idea of a shared willingness to modify our private demands with the goal of finding a basis of justification that others will accept. It attempts to provide "the reasons we have to avoid actions that are wrong and to criticize those who engage in them" (Scanlon, 1998, p. 11). The news media is made up of individual journalists, those reporters, editors, news anchors and news directors who serve as the gatekeepers for the information the public receives. The moral reasoning applicable to any individual should also be applicable to journalists in the course of fulfilling the public trust, weighed against the primary journalistic ethical duty of the distribution of information needed by the public. That moral criticism and demands for justification of decisions are also exacted upon journalists are obvious results of undertaking a public trust and making one's mistakes in full public view. This is no more or less than is demanded of any servant of the public, that wrongs to the public be justified to that public. Having the aim to be a journalist requires that one not only take on the public trust conveyed to members of a free press, but, in return for the protections provided to the press, that a journalist be prepared to justify the rightness of actions taken on the public's behalf.

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Beyond Kant Lite:

Journalists and the Categorical Imperative

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I tell the honest truth in my paper, and I leave the consequences to God."

James Gordon Bennett, newspaper publisher, 1836

In the newsroom of a daily newspaper, a reporter has a bevy of quotes from a controversial source. The young reporter, Laura, believes the source to be incompetent and wants to choose only the quotes that show her readers that this source to be inept. She knows, however, that quotes should only be used judiciously; she learned that in j-school. What's the right thing to do?

Quick: The story is due in 20 minutes. Let's see, she thinks. What's that one ethical theory? The super-maxim! Of course. Publish without fear of the consequences—choose something that you can will to be a universal law. Something like that. This will be her justification for her selection of quotations—this is her own autonomous decision, and she thinks everyone (in her newsroom community) would agree upon it.

The reporter, who over the years has been taught some quick and easy ethical decision-making tools, has allegedly chosen the Categorical Imperative's Formula of Universal Law to help her make her decision on deadline. Laura has applied a corrupted version of Immanuel Kant's formula, however. To suit her own needs, she has modified what seems to be a previous maxim of using quotes judiciously. And if Kant were in the newsroom, he would say that her behavior was unethical.

The misunderstanding of Kant's ethics by journalists comes in many forms, from thinking that if journalists apply the Categorical Imperative (CI) they are nothing more

than "moral robots" (Merrill, 1994, 64) to thinking his ideas are too "legalistic" (Gordon & Kittross, 1999, 18).

Kant's Grounding for the Metaphysics of Morals has three formulations of the CI. Kant's second formula of the Categorical Imperative, which may have more of a cultural or pertinent influence for journalists, the Formula of Humanity (sometimes called the Formula of the End in Itself) is often slighted in journalism literature, and usually only the "super-maxim," the Formula of Universal Law, is mentioned.[1] Another formulation that is neglected is the Kingdom of Ends, which is Kant's idea of a "republic of all rational beings" (Korsgaard, 1996, 99).

They are different aspects of the same moral law, and this fact is rarely discussed in journalism literature. But this is important. Writes Kant in G436[2]:

> The aforementioned three ways of representing the principle of morality are at bottom only so many formulas of the very same law: one of them by itself contains a combination of the other two. Nevertheless there is a difference in them, which is subjectively rather than objectively practical.

This paper explores how journalists are taught and demean the Categorical Imperative, what Kant had in mind by it, and what contemporary Kantians think Kant had in mind. The conclusion seeks to provide suggestions to journalists on how to avoid "Kant Lite"[3] decision-making.

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[1] The term "super-maxim" can be found in Merrill's 1994 book Legacy of Wisdom, Ch. 12, pg. 62.
[2] All citations from Grounding for the Metaphysics of Morals are hereafter cited G with page number(s) from the Prussian Academy edition.
[3] Credit for this description goes to Dr. Mark Lebar, Ohio University philosophy professor.

"Kant Lite" at its finest

To provide a basic overview, following is just a sampling of Kant's ethics in journalism literature:

- In the 1996 textbook News: Reporting and Writing, one page of the 618-page volume is devoted to "Four Ethical Theories" (Lorenz & Vivian, 551). A 50-word paragraph explains the Categorical Imperative: "Immanuel Kant ... formulated the Categorical Imperative, the theory that people should behave only as they wish everyone else to behave." Maxims or universal laws are not explained, and the other formulations of the Categorical Imperative are not mentioned.
- In another 1996 text, News Reporting and Writing, the formula of humanity is also not mentioned, but one page is devoted to deontology (Brooks, Kennedy, Moen, & Ranly). Journalists who practice deontological Kantian ethics are presented as so: "These journalists believe publishing without fear of the consequences or without favor of one group's interests over another's is the highest ethical principle. Journalists are unethical *only* when they withhold the news" (469, emphasis added).
- In Carole Rich's 1997 news-writing text, one page is devoted to "Philosophical Approaches"; however, neither Kant nor deontology is mentioned. Rich does quote a journalism professor who says: "If you don't act in accordance with moral rules, you are blameworthy. If you act in accordance, you're are not praiseworthy. No one congratulates you for not lying" (332). This dilemma seems to bring Kant into the discussion, but neither he nor the Categorical Imperative is mentioned.

- John Merrill, calling the Categorical Imperative "Kant's call to duty" (1995, 66), simplifies the Categorical Imperative for journalists as thus: "If journalists follow their rationally accepted principles, then they are ethical; if not, they are unethical. It's as *simple* as that" (61, emphasis added). Merrill does mention the second formulation of the Categorical Imperative, explaining that Kant "enthroned people as people" (62).
- In the text Media Ethics[4] under the heading "If Immanuel Kant were sharing your office" (Black, 1995, 27), Kant would tell his (newsroom) staff to:

> 1. decide on what they want to do
> 2. figure out what professional "rule" they are following if they follow through on the decision
> 3. attempt to universalize that rule, making it apply to all people
> 4. question whether their rule, and thus their proposed action, respects the dignity and well being of all people involved.
> 5. and if they can answer "yes" to No. 3 and No. 4, *go for it*. If not, modify the rule of action as necessary. (pp. 27-28, emphasis added).

A final example: Controversies in Media Ethics informs readers that "Kantian ethics is a good place for media people *to start*" when considering "their overall moral demeanor" (Gordon & Kittross, 1999, 18, emphasis added). Kant, however, never intended the Categorical Imperative to be a good starting point from which one can

[4] It should be noted that the Black text does include a chapter called "Deontology" and a chapter 'On Immanuel Kant." The above is taken, however, from the chapter "Advice from Philosophers."

"wander . . . from time to time" (17). What did Kant really have in mind with his Categorical Imperative?

A firm grounding

Philosopher Immanuel Kant (1724-1804), who lived in the Prussian town of Königsberg, was a deontological ethicist. Deontology is a duty-based theory. With deontological theories, what make actions right and wrong cannot be the consequences.

He writes in his Grounding for the Metaphysics of Morals:

> The moral worth of an action does not depend on the result expected from it, and so too does not depend on any principle of action that needs to borrow its motive from this expected result. For all these results could have been brought about by other causes as well, and consequently their production did not require the will of a rational being, in which however, the highest and unconditioned good can alone be found. Therefore nothing but the idea of the law in itself, which admittedly is present only in a rational being—so far as it, and not an expected result, is the ground determining the will—can constitute that pre-eminent good which we call moral, a good which is already present in the person acting on this idea and has not be awaited merely from the result. (G401).

According to Kant, morality is separate from desires, and only a good will is moral, and a good will is determined by duty. Duty generates the idea of the Categorical Imperative. The CI (in the formula of the universal law) reads: "Act only on that maxim

through which you can at the same time will that it should become a universal law" (G421).

As moral agents, people should act on maxims that all people would act on if they were rational. If one can't will that everyone acts on the maxim, then acting on that maxim is morally wrong and not permissible. Kant believed that people are rational beings. In other words, people have the capacity to reason, and reasoning should prevail over desire.

Moral education is a necessity, however, before one can use the Categorical Imperative. In G422 and G423, Kant gives examples of the application of the CI procedure. Barbara Herman, a contemporary Kantian, explains Kant's thoughts in easy-to-understand manner:

> The agents know the features of their proposed actions that raise moral questions *before* they use the CI to determine their permissibility. It is because they already realize that the actions they want to do are morally questionable that they test their permissibility. It is hard to see how any system of moral judgment that assessed maxims of action could work with morally naive or ignorant agents. (1993, 75).

This is a key point in using the CI. An agent who wants to apply the Categorical Imperative must have the appropriate moral background before he or she can correctly apply it. This point is oftentimes lacking when the CI is taught or discussed among journalists.

More on maxims

In G422 and G423, Kant presented four examples of maxims that can be universalized (which are condensed here):

- Don't kill yourself.
- Don't make false promises.
- Cultivate your talents.
- Help others.

These maxims fit with the second formulation of the CI (the Formula of Humanity), which states: "Act in such a way that you treat humanity, whether in your own person or in the person of another, always at the same time as an end and never simply as a means" (G429). In other words, people are valuable entities in and of themselves; no person should ever be abused or used merely as a means to someone else's end. People are not objects to be used for one's own purposes (Pojman, 1995, 148).

In reporter Laura's case, for instance, she was making it impossible for her source to consent to her crusade of making him appear inept. (Sources usually are not shown the final copy of a story before it goes to press.) Laura had other quotations from her source that she could use, but she didn't want to use them. They would not help her accomplish her "end." She was using her source as her means and using him as some kind of tool, not as an agent like herself.

Kant believed that all rational people, after doing some reasoning, should come up with the same moral principles, and he rejected that the consequences of a moral act determine the act's value or worth. In Grounding, Kant explains that the CI "alone purports to be a practical law, while all the rest may be called principles of the will but

not laws," or hypothetical imperatives (G428). Thus, in moral matters, one's will should be influenced only by rational considerations; one can control one's will, but one can't have control over the consequences of one's actions. One can be responsible only for something over which one has control; people are not governed by their impulses (Baron, Pettit, & Slote, 1997, 11).

Herman explains, "The key to understanding Kant is in the idea that moral worth does not turn on the presence or absence of inclination supporting an action but on its inclusion in the agent's maxim as a determining ground of action--as a motive" (1993, 11).

Kantian "motives" are not desires or causes, Herman says. "An agent's motives reflect his reasons for acting. An agent may take the presence of a desire to give him a reason for action as he may also find reasons in his passions, principles, or practical interests" (1993, 11). All of these are "incentives," she says, not motives to action.

Ends, not goals

Marcia Baron, also a contemporary Kantian, says that for Kantians, being virtuous is not second nature. Being virtuous takes reflection. And that is the difference—or biggest disagreement—between Kantian and virtue ethicists, who reject the notion that one acts from duty (1997, 34). On the other hand, consequentialists—those who view that moral conduct is judged in terms of results—are bigger opponents of Kantian ethics. Baron says, what distinguishes consequentialists from Kantians is that there is a difference between goals and ends (6).

Someone who helps because he or she likes to or wants to doesn't know the importance of the act; even good desires need moral guidance, Baron says (1997, 59). It's not enough to know that what we are contemplating is kind or generous because an action might be all these things yet still be wrong. Kantian ethicists need to check their principles against the CI.

Baron says that those who oppose Kantian ethics oftentimes see the CI as "one big rule" (1997, 65). Kantian ethics seems to be reductionist—predicated on the belief that everything can be reduced down to one thing; it doesn't look at the particulars of a situation, opponents say. Baron thinks a better understanding of "maxim" may be required. Many who oppose Kantian ethics think it's difficult to know what counts as the maxim to be tested (75).

Baron says that those who have questions about determining maxims might be told that maxims are personal and thought-out; some "soul-searching" is required (1997, 37). For instance, a journalist might ask: "What are the rules I should follow in my chosen profession?" All reasoned and considered actions can be regarded as involving maxims. And if a person can will this action as universal in the workplace, then it's a principle to keep.

Another problem for those who oppose Kantian ethics, Baron says, is that the deontic terms used may be a problem for them when sorting out what a maxim is: "Deontic terms are thought to give entirely the wrong shape to an ethical theory, to put the focus on the wrong sorts of things and to narrow the scope of ethics quite drastically" (1997, 49). For instance, virtue ethicists prefer aretaic terms (terms of virtue) such as "good," "bad," and "vicious" compared with the deotonic terms of "ought," "right,"

"wrong," and "duty." The CI is not expected to tell people what to do, however. For Kant, the virtuous person is influenced by a conception of duty; he or she is committed to acting morally (49).

The CI requires thinking; it does not provide a mechanical test for people to follow as some opposers--and journalists--may believe. If there is any testing going on, it's the principle being tested for universalizability—not the action; the CI merely provides guidelines to follow when creating a maxim, and it makes people discover through a process of reasoning what their maxims are (Baron et al., 1997, 65).

Maxims may fail, however; they fail by a contradiction of conception and by a contradiction of the will. But this seems to be the agent's fault. Baron explains that a maxim can fail if there is an inconsistency between having and acting on a maxim—a contradiction in conception. For example, a contradiction emerges when one tries to universalize a maxim, but it just doesn't work. Baron gives the example of someone who likes to play tennis at 10 a.m. Sundays because the courts are not full at that time of day. The contradiction is that this maxim is not universalizable (1997, 73).

A maxim also can fail if there is an inconsistency in willing it to be universal law (Baron et al., 1997, 70). A contradiction in conception might happen when a person universalizes something that is obviously not moral—as reporter Laura tried to do in the above example. Consider this situation: A person who needs to borrow money has no intention of paying it back but doesn't tell the lender this (70). Thus, no lender will ever believe that a borrower will pay him or her back. (Just as Laura's other sources might come to believe that Laura will never use direct quotations judiciously, and, thus, never write a fair story.) Also, a contradiction in will can occur when one tries to universalize

a maxim of non-beneficence; thus, this means that a person is willing both that he not be helped when he or she needs it and that he or she be helped when needed (70).

This is not mechanics

The above explanation of Kant's ethics and the Categorical Imperative only touches on Kant's writings about ethics. However, this should give enough of an overview for one to see that the journalism literature's teachings on Kant are lacking.

Those who see the Categorical Imperative as "one big rule" or as a ruthless "super-maxim," journalists or not, don't seem to really understand it. Herman says, "The suggestion that the Kantian agent might do everything the morality of principle requires and yet be insensitive seems to me connected to a mistaken view of what is involved in possessing and being attached to moral principle" (1993, 81).

And if one does not have the right education, according to Kant, one won't be able to apply the Categorical Imperative. "Moral education carries a great burden in Kantian ethics," Herman says (1993, 109). She points out that more than one of Kant's ethical works ends with a discussion of moral education. She explains:

> To act morally, an agent has to know what an obligation is (that it alters the structure of preferences, that it requires preparation and response), what obligatory ends we have, what will be necessary to satisfy them, including the sorts of responses (maxims of response) that are appropriate to a given obligation and particular conditions of failed outcomes (when are apologies sufficient, when is compensation owed, and so on). (1993, 110)

Herman points out that there is a difference between the Kantian agent's moral sensitivity and plain emotional sensitivity; the moral sensibility of a Kantian agent "requires more than the development of emotional traits (such as sympathy)" (83). Therefore, the Categorical Imperative cannot be an operative principle of judgment unless agents have some moral grasp of their actions before they use the CI (77).

How does one learn? Kant provides his opinion on moral education in his "Doctrine of Virtue," Part II of the Metaphysics of Morals.[5] He explains that "the very concept of virtue implies that virtue must be acquired" (MM477):

> For man's capacity for moral action would not be virtue were it not produced by the strength of his resolution struggling with such powerful inclinations to the contrary. Virtue is the product of pure practical reason, in so far as reason, aware of its supremacy (on grounds of freedom), wins ascendancy over the inclinations. That virtue can and must be *learned* follows directly from the fact that it is not innate. The theory of virtue is, therefore, a *doctrine*. (MM477).

Education, Kant explains, is taught through a moral catechism, not to be confused with a religious catechism. The two are separate things.[6] For the journalist in training,

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[5] All citations from Metaphysics of Morals are hereafter cited MM with page number(s) from the Prussian Academy edition.

[6] Take note that Kant's Categorical Imperative is oftentimes called a modification of the Golden Rule, a so-called intellectual version of the Judeo-Christian "so unto other as you have other do unto you" (Christians, Rotzoll, & Fackler, 1987, 11). However, Kant vehemently opposed any similarities (Becker, 1992, 406). Religion and morality are two separate subjects.

university journalism classes would be an appropriate place to begin a moral catechism, where a method of questioning is used. Kant explains:

> And this method of questioning is, in turn, divided into the method of *dialogue* and that of *catechism*, depending on whether the teacher addresses his questions to the pupil's *reason* or merely to his *memory*. For if the teacher wants to question his pupil's reason, he must do this in a dialogue in which teacher and pupil reciprocally question and answer each other. The teacher, by his questions, guides the pupil's thinking merely by presenting him with situation in which his disposition for certain concepts will develop. (477).[7]

But how does one handle a newsroom of already "trained" journalists? Kant offers suggestions in "The Doctrine of Virtue" on how to deal with the "still untrained pupil" (MM478). A moral catechism is also appropriate. His instruction on cultivating reason actually teaches many of the principles that journalists should learn.[8] For instance, Kant's instruction includes that each person:

- Is responsible for his or her behavior (he or she should think for himself or herself)
- Should reach out to those in need
- Practice virtue in a "vigorous, spirited, and courageous" manner
- Learn to recognize ethical issues

Kant writes:

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7 Kant presents what might be a typical exchange (an example of dialogue) between teacher and pupil in MM480.

[8] For instance, a handout from a Poynter Institute for Media Studies seminar compiled by Bob Steele presents very similar guidelines.

> For unless the dignity of virtue is exalted above everything else in actions, then the concept of duty itself vanishes and dissolves into mere pragmatic precepts (because) man's consciousness of his own nobility then disappears and he is for sale and can be bought for a price that the seductive inclinations offer him (MM482).

What journalist would want to be known as "selling out"? Journalists should find themselves motivated by the Categorical Imperative and its formulations. Journalists should easily grasp the Formula of Humanity, his second formula. But even more so, the third formulation, the Kingdom of Ends, in its own way represents what American journalism is built upon: individual rights and obligations. It requires virtuous social institutions. Herman explains that the Kingdom of Ends, as an ideal, "allows us to reflect on our actions as a whole and on the institutions and practices that provide the background for action and judgment" (1997, 210).

Kant says of the Kingdom of Ends:

> For all rational beings stand under the law that each of them should treat himself and all others never merely as means but always at the same time as an end in himself. Hereby rises a systematic union of rational beings through common objective laws, i.e., a kingdom that may be called a kingdom of ends (certainly only an ideal), inasmuch as these laws have in view the very relation of such

> beings to one another as ends and means … He belongs to it as sovereign, when as legislator he is himself subject to the will of no other. (G433).

Merrill points out that journalists who object to Kantian ethics object because they might feel that "acting out of duty is shallow" (1994, 64). Kant's beliefs are not shallow, however, and the CI does not tell a person what to do. How can journalists reject the Categorical Imperative if they don't really understand it—or if they don't have the moral education to grasp it? Or how can they use it—as the hypothetical Laura has?

The Categorical Imperative may not be for everyone. Some journalists may find that they are Aristotelians or they may find that John Mill's theory of utilitarianism suits them better. However, to present the Categorical Imperative—or any method of ethics—as a quick decision-making technique is not right.

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Online Media Ethics:
A Survey of U.S. Daily Newspaper Editors

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In this paper, 203 online editors at U.S. daily newspapers report their practices, problems and ethics in doing online journalism. All but four percent are publishing news online at least daily, with nearly a third updating more than once a day. Among their concerns about publishing online are the immediacy of Web publication, corrections procedures, linking to other sites, monitoring reader chat rooms and online news staff size.

The number of Americans getting their news from the Internet at least once a week more than tripled from 1996 to 1998, leaping from 11 to 36 million (Pew Research Center, 1998), and by December 1999, there were a total of 74.1 million active Internet users in the U.S. and nearly 119.2 million U.S. users with Internet access. The average user visited 12 Web sites and spent 7 hours, 38 minutes online that month. A "user" is defined as all members (2 years of age or older) of U.S. households which currently have access to the Internet (Nielsen/NetRatings, 1999).

About 99 percent of the nation's largest newspapers and most medium-sized papers now have an online presence, and more than 4,000 papers are online worldwide, about half in the United States (Haring, 1998). Most leading radio and television broadcast entities are also offering an online counterpart.

Online news publishing raises many challenging ethical concerns for managers and educators in the new media, including issues in the areas of privacy; advertising/business relationships; copyright; attribution; linking; posting supplemental materials; immediacy; manipulation of data and graphic images; plagiarism; community publishing; and potentially harmful content.

Black (1994) was right on track when he wrote, "The bottom line (is that) new media technology and delivery systems make it necessary for individual journalists to develop more sophisticated ethical decision-making skills" (p. 134).

Traditional print rules, such as the formal separation of editorial and advertising content, might not translate to the Internet, where the lines between news and advertising are often invisible. Correcting mistakes may be a fact of life at most daily newspapers, but how many new media managers are going to assign their teams to point out errors online when they can simply wipe them out and set the record straight by immediately publishing a new version of a story? If

a news organization simply publishes everything it can get its hands on in its bottomless online news hole, is it covering an issue in a way that best serves its audience? Should the archival details an organization has gathered about individuals in a community be packaged and sold as yet another information product? Should links be provided to sites of questionable taste when they also offer vital information to news consumers? In a medium built for speed, should the old methods of fact checking remain, or can shortcuts be allowed, and if so, how can an organization possibly regulate them to avoid costly errors? (Mann, 1998)

There have been so many questions about online errors, a Web site was established to bring some of them to light. Frank Sennett, editor of the alternative-press portal Newcity.com, regularly updates www.slipup.com, featuring an archive and slipup of the day, plus links to corrections.

Anecdotal evidence indicates that few new media outlets have formalized ethics protocols built to deal with the issues of online publishing. What kinds of codes of ethics are in place to guide online news publication?

This paper examines the practice of online newspaper journalism. First, the paper reviews the academic and trade press literature that addresses the opportunities and challenges of publishing news on the World Wide Web. Then, the paper reports the findings of a survey of U.S. newspaper editors about the practices and problems they face each day publishing online. Finally, the paper discusses the problems presented by online publication and suggests procedures for improving online news practice.

News and the World Wide Web

Journalists are entrusted with the role of gatekeepers of information in society, a term first applied directly to the media by White (1950) in a study of the choices made by a wire

service editor at a small Midwestern newspaper. He said the gatekeeper acts as " the representative of his culture" (p. 390). Subsequent studies have indicated that the journalist's self-perception as the person who decides what people need to know is deeply ingrained. Indeed, the identification and dissemination of what is worth knowing is considered to be the journalist's key task in a democratic society (Janowitz, 1975).

The number of pages available on the World Wide Web was estimated to be 320 million in 1997, and the number had surged past 800 million by February of 1999 (Time, 1999). The number of Web sites on the Internet in June 1999 was estimated to be 6.6 million, and by January 2000 the number had risen to nearly 10 million (Netcraft Web Server Survey, 2000). The overwhelming mass of fact and fiction presented by digital communication makes gatekeepers more vital than ever before.

A study by Singer (1997) indicates that newsroom employees are modifying their definition of the gatekeeper function to incorporate notions of both quality control and sense-making. They see themselves as the trusted interpreters of an unprecedented volume of available information. These findings are in line with the most recent survey by Weaver and Wilhoit (1996), who found that journalists continue to see their primary role as interpreters, rather than mere gatherers and disseminators, of information.

A study by Arant and Meyer (1997) indicates sensitivity to ethical concerns is increasing in today's college-educated newsrooms. The study by Weaver and Wilhoit (1996) also found strongly held ethical beliefs – beliefs that may be challenged by the ease of shedding constraints online (Singer, 1998).

In today's new journalism, gatekeepers make their decisions in an environment that is in a constant state of flux. In the wide-open, fast-paced world of online publishing, interpretation can

become incredibly complex. Anne Stuart (1997), senior editor of WebMaster Magazine, says, "Because publishers can't plan for every scenario, they must develop blueprints to guide ethical decision-making, keeping their missions and their constituents firmly in mind. Like building a Web site, it's a job that will never be finished."

Over the past three years, most of the daily newspapers in the United States have hurriedly expanded their operations to include a World Wide Web site. Many such sites are equipped with bare-bones staffs. One survey found that typical full-time staffing includes one advertising employee, one technical employee and two editorial employees (Fitzgerald, 1997). Numbers have risen only slightly since that time.

"Take it as a given that within five years, networked computers in the workplace and the home will compete on an equal footing with the existing news media as a routine source of news for over half the public and the industrialized world," writes Neuman (as cited in Fulton, 1996). The rapid growth of online newspapers has been called the most important challenge facing newspaper publishing (Bittner, 1996).

Has enough attention been paid to the vital issue of ethics online? As Fred Mann (1998), general manager of Philadelphia Online – the Philadelphia Inquirer and Daily News' Web site – writes, "To allow a diminution of values online such as accuracy, credibility, balance, accessibility, news judgment and leadership would be to risk undermining the good name – and the economic value – of the mother ship. Print and broadcast properties are getting on the Web to enhance their good names, not to lose them."

More Pressure for Media Managers

The arrival of the digital age has fostered dramatic change in the way information is gathered, processed and presented in the United States. The mass media today are far different

than they were even one year ago, reshaping demands on media managers and significantly magnifying the potential content of journalism school ethics courses. The digital age has been chiefly responsible for:

- The creation of short-staffed "corporate" newsrooms where the bottom line often takes precedence over civic responsibility and level-headed devotion to accuracy and fair reporting (Hickey, 1998).
- The fragmentation of the media audience and perceived need to be the first to break stories of scandal and tragedy to attract and retain consumers, leaving little or no time for fact-checking and vital ethics discussions prior to the airing of a story (Online Newshour, 1998).
- The crushing demand for fresh news items to fill up air time 24 hours a day, making accuracy and balanced reporting more difficult to achieve on a consistent basis (Online Newshour, 1998).
- Negative changes in consumer attitude toward the media and the advent of a more savvy, suspicious, cynical information consumer (Pew, 1998; Center for Media, 1997; "Fallout from a media fiasco," 1998: ASNE, 1998).
- Short-staffed online operations that are expected to mimic the excellence of the print product and produce profits out of thin air (Singer et al., 1999).

Jane Singer, Martha Tharp and Amon Haruta (1999) report in their recent survey of United States news operations that online staff size increases with circulation size, but with considerable variation. One of the largest papers had 55 full-time permanent employees on its online staff, plus another 250 stringers. Another daily in the same circulation category had only

three full-time, permanent online staffers. The smallest print newsroom reported four full-time, permanent employees; the largest had more than 500. Median staff sizes by circulation category were 23 print, one online (under 50,000); 68 print, three online (50,0001 to 100,000); 198.5 print, five online (100,001 to 250,000); and 350 print, 34 online (over 250,000). A number of the online editors surveyed expressed frustration with their small staffs and the lack of time to do things right. Some cited the "burnout and long hours faced by one- and two-person staffs" (Singer et al., 1999, p. 42). One editor commented, "So much to post, so little time to do it" (Singer et al., 1999, p. 42). Many expressed concerns about being able to keep their sites current and accurate. They also expressed a concern most print managers do not have – making an online publication with an uncertain advertising and readership base profitable or at least a break-even proposition.

Conclude Singer, Tharp and Haruta (1999): "Both the closed- and open-ended survey results indicate staff sizes are too small to adequately support a quality online product, even without the compounding difficulties of fast-paced technological change" (p. 45).

In a study exploring trends in United States Web-newspaper publishing, Foo Yeuh Peng, Naphtali Tham and Hao Xiaoming (1999) found that representatives from about a third of the papers surveyed reported their online operations were making a profit, but admittedly not much in relation to their up-front investments nor to the double-digit profits on the print side. Some said they were accomplishing this by keeping both expenses and online staff sizes to a minimum.

In such an environment, a framework of clear, constantly updated ethical standards can be a key component in successful news gathering and presentation. But most news operations have yet to seriously and consistently address ethics in a formalized manner in their traditional or online products.

In 1999 the Ethics and Values Committee of the American Society of Newspaper Editors published an analysis of 33 current daily newspaper ethics codes. It found that most of the codes served two functions: as public relations tools and as a very basic education for staff members on newsroom values and norms. Few of the codes specifically address online ethics. The most popular subject in the codes is conflict of interest, including junkets, gifts, political involvement and community activity. In conclusion, the analysis says, "It seems that in most of these newsrooms … the solution to ethical dilemmas lies much more in deference to a rule book and the official voice of supervisors and less in critical thinking, discussion with peers and effective protocols for decision-making" (ASNE, 1999).

Many news organizations offer no ethics protocol, perhaps operating under the theory that because ethics are taught in journalism school, there is no need to introduce formal guidelines in the newsroom. The digital age has indeed brought some changes in journalism curricula, but are they adequate? Computer-assisted reporting classes have been established (Lee & Fleming, 1995), and a number of universities have introduced Web publishing and multimedia production courses (Friedland & Webb, 1996; Thompson, 1995). However, only a handful of institutions offer or plan to offer courses devoted to the ethical and legal issues tied to online journalism (Smethers, 1998).

In his online essay, "Journalism Ethics and New Media," Pavlik (1998) examines the four questions he considers to be key: 1) What are or should be the ethical standards of digital news gathering? 2) What are the ethical rules of digital news production? 3) What are the ethical boundaries of online news content? 4) What are the broad ethical issues confronting journalists in an interactive, global news system? Pavlik concludes, "It is incumbent on schools and departments of journalism to play an active role in educating the public to act responsibly in

creating electronic content and in serving in a leadership role in shaping public behaviors on the Net."

Michael Oreskes (1999), chief of the Washington Bureau of the New York Times, says the way for journalists to meet the challenge of public criticism and the changes being wrought by the Internet is a movement "to reassert our highest standards." He explains journalists in the new media need to look backward, not just forward, because the organizations with the best reputations will win the largest audiences. "Standards are not about new technology," he points out, "they are about basic rules and values … We should establish and then explain – both to ourselves and to the public – why we do the things we do. What are our central values?" (p.22).

Jonathan Hart, an online media attorney with the Washington, D.C., firm Dow, Lohnes & Albertson PLC, says employee handbook-style codes of ethics may not effectively cover all online issues. "I'm a fan of seminars, workshops, roundtables and the like, which I believe can be very effective in helping young journalists learn when to ask questions, when to consult more seasoned journalists or a lawyer," he says (Palser, 1999, p. 26).

Doug Feaver, the editor of washingtonpost.com and a veteran of the Washington Post's traditional newsroom, says that while some routine ethical issues lend themselves to a written policy, spot decisions demand individual judgments based on experience. He encourages editors to exchange stories and solutions. "A lot of what good journalism is about is making decisions based on facts that are in front of you at the time," Feaver says. "A hard-and-fast rule is not going to address the enormous range of issues that you confront in a good newsroom. If we're good at our jobs, we need to be addressing these things all the time" (Palser, 1999, p. 26).

If they choose not to codify their policies, says Nora Paul, an online reporting expert at the Poynter Institute, online managers should at least have "specific and concrete discussions" with their staffs on a regular basis (Palser, 1999).

Representatives from some of the nation's leading news organizations formed the Online News Association in 1999, with the purpose of encouraging "the highest possible journalistic standards in this new medium." Its president, Rich Jaroslovksy of the Wall Street Journal Interactive Edition, says, "It isn't enough to merely be a provider of information; we also have to be a broker of information, a filter, a moderator – and sometimes even a referee … Honesty, accuracy and fairness don't go out of fashion because technology has changed" (Online News Association, 1999).

William F. Woo, former editor of the St. Louis Post-Dispatch and now an educator at Stanford University, recently addressed the status of traditional newspapers' ethics, saying the best way to improve the handling of ethics "lies in adopting a methodology – a delineated procedure, involving certain consistent steps that lead a newsroom to make decisions" (1999).

Boeyink's study (1998) of the Louisville Courier-Journal, a daily paper known for its ethics, found that a critical factor in a code's effectiveness is an ethical culture in which editors support ethical standards vigorously and foster a process that encourages newsroom debate over controversial cases.

Bob Steele, director of the ethics program at the Poynter Institute for Media Studies, believes newsrooms need to adopt protocols for ethical decision-making. "A protocol is a process and a framework for making good decisions. A protocol includes key principles and important questions," Steele (1998) said. The myriad ethical concerns raised by the very nature

of online communication would appear to require that today's journalists formulate, utilize and regularly update ethics methodologies.

Survey of Online Newspaper Editors

The topic of ethics in the new media has received much attention in the literature. Most of the discussion, however, is based on anecdotal evidence. The few quantitative studies of online newspaper journalism have focused mostly on operation of the web sites. They have not dealt with the ethical issues raised by online news publication. To determine with greater precision what ethical dilemmas journalists face in publishing online, the researchers designed a more comprehensive survey about ethical values in online newspaper publication. The research questions were:

1) What are the current practices and policies at online news sites offered by U.S. daily newspapers?

2) What are the current issues of ethical concern for online news managers at U.S. dailies?

3) Are the ethical standards of traditional print journalism currently being upheld in publishing online versions of daily newspapers in the United States?

4) Are online practices affected by staffing levels?

5) What expectations do media managers have for ethics curricula in journalism schools?

In October 1999, 686 editors of the online editions of U.S. daily newspapers received by way of e-mail the online newspaper practices questionnaire. The names and e-mail addresses of respondents were obtained from a Newspaper Association of America listserv of online editors of U.S. daily newspapers. This census of the NAA listserv targets journalists already involved in online journalism and is not representative of all U.S. daily newspapers. It is unlikely that editors

at newspapers not involved in online journalism would be on this listserv. This method of selecting survey recipients does not produce a good indicator of which U.S. daily newspapers are involved in online journalism but does produce meaningful data for how online journalists operate at U.S. daily newspapers.

Response was encouraged through the promise of a copy of the results of the survey for those who completed the survey. Response was further bolstered by an e-mail memo alert about the project posted on the NAA listserv of online editors a week before the first round of the survey. The survey was attached to the cover letter explaining the purpose of the survey and assuring the respondents that individual respondents would not be identified. A month later, a second e-mail with the attached survey was sent to those editors who had not responded.

A total of 203 editors responded for a 30 percent response rate. The response rate is seven percentage points higher than the recent mail survey of online newspaper editors cited above (Singer et al., 1999). Twenty-eight percent of the editors worked at papers with 15,000 or under average daily circulation, 41 percent at papers with circulations between 15,001 to 50,000, 16 percent at papers between 50,001 and 100,000, 10 percent at papers between 100,001 and 200,000 and 5 percent at papers with more than 200,000 average daily circulation.

A comparison of the respondents' newspapers to U.S. daily newspaper statistics reveals that papers in the smallest circulation category are underrepresented (Table 1). While only 28 percent of the respondent newspapers were 15,000 and under circulation, nationally 56 percent of newspapers are 15,000 and under (Editor & Publisher, 1999). This finding is hardly surprising because one would expect that the smallest dailies to be less involved in online journalism.

Table 1.

U.S. Daily Circulation Statistics versus Circulation of Respondents' Newspapers

Circulation	U.S. daily newspapers	Respondents' newspapers
15,000 and fewer	55.9 %	28 %
15,001-50,000	28.4 %	41 %
50,001-100,000	8.7 %	16 %
100,001-200,000	3.3 %	10 %
More than 200,000	3.7 %	5 %

U.S. daily newspaper statistics are from Editor & Publisher International Yearbook 1999.

Seventeen percent of the responding editors were female and 77 percent male. Six percent did not indicate gender. The average age of the respondents was 43, and 89 percent had completed college. The editors had worked on average 17 years in the newspaper business and nearly three years in online newspaper publishing.

The respondents had various newsroom titles: publisher, 16 percent; new media manager, 12 percent; editor, 12 percent; online editor, 12 percent; and managing editor, 9 percent. The other 40 percent of the respondents had a wide variety of titles, including: online content coordinator, online news manager, web content editor, online manager, online administrator, online services manager, Internet services director, director of online services and electronic information editor.

When asked to whom the editor of the online edition directly reports, 36 percent said the online editor reported to the publisher/CEO; 31 percent to the top print editor; 7 percent to an officer in marketing; and 3 percent to the production manager. The remaining 23 percent of online editors had a variety of bosses: the president of a wholly owned newspaper subsidiary, assistant to the publisher, general manager, metro editor, news editor, operations director,

president of the interactive publishing division, director of new media, director of technology, technology manager, online director, new media manager and corporate director of online content.

Publishing Newspapers Online

All but 3 percent (six newspapers) of the respondents said they do publish an online edition of their newspaper on a regular basis. The editors reported an average of six full-time staff members, including management, ad sales, technical staff and writers, working exclusively on the online product. However, 27 percent the respondents said they had no full-time staff members working exclusively on the online product and another 19 percent had just one (Table 2). As one would expect, the online staff size correlated positively with the average daily circulation of the newspaper (correlation = .664, $p < .0005$).

Table 2.

Average Daily Circulation and Full-time Online Staff Members

Circulation	n	Zero	One	2 to 3	4 to 6	7 plus	Total
15,000 & under	55	56 %	27 %	15 %	2 %		100 %
15,001-50,000	80	23 %	24 %	34 %	15 %	5 %	100 %
50,001-100,000	31	10 %	10 %	13 %	48 %	19 %	100 %
100,001-200,000	20	5 %		15%	40 %	40 %	100 %
More than 200,000	9					100 %	100 %
All papers	**195**	**27 %**	**19 %**	**22 %**	**19 %**	**14 %**	**100 %**

Correlation between full-time online staff and circulation is .664. Eight respondents did not indicate staff numbers.

Of those who had an online edition, 31 percent said they updated their online editions more than once a day and another 65 percent of the editors said they updated their papers daily

(Table 3). Frequency of updating correlated positively with circulation size (correlation = .343, $p < .0005$). The ten newspapers with more than 200,000 circulation all updated the content on their Web pages more than once a day. One respondent said that as a breaking news site, the newspaper published wire service news stories throughout the day.

Table 3.

Average Daily Circulation and Frequency of Updates

Circulation	n	weekly	more than weekly	daily	more than daily	Total
15,000 & under	56	3 %	4 %	75 %	18 %	100 %
15,001-50,000	80		2 %	75 %	23 %	100 %
50,001-100,000	31		3 %	68 %	29 %	100 %
100,001-200,000	19		5 %	26%	69 %	100 %
More than 200,000	10				100 %	100 %
All papers	**196**	**1 %**	**3 %**	**65 %**	**31 %**	**100 %**

Correlation between circulation and frequency of updates is .343. Seven respondents did not indicate frequency.

Asked how much of the news content of the print edition they published online, 21 percent said all of it, 23 percent said at least half of the print edition, 39 percent said select headline stories, and the remaining 16 percent indicated other. Of those checking other, half said that they publish all or most of the locally generated news stories. One wrote that the Web edition published all front-page and sports stories from the print edition, plus daily record material such as obituaries and police and court reports. Another respondent followed a formula: the top five news stories plus obituaries.

Editors were asked about the changes they made to print-edition material before putting it online (Table 4). Sixty percent of the editors said they added hypertext links; 13 percent said

they changed the wording of the news stories; 23 percent changed the story structure; and 30 percent changed the artwork and photographs. Fifteen percent of the respondents said they made no changes to the material from the print edition that was published online. One respondent wrote that reporters write Web versions of stories that are shorter and more concise. Another published only the first three to five paragraphs from the page-one news and section-front sports stories.

Table 4.
Changes to Print Newspaper Materials for the Web Edition

Add hyperlinks	60 %
Changed artwork and photos	30 %
Changed story structure	23 %
Changed wording of new stories	13 %
Made no changes to print edition material	15 %

One editor wrote that online staff did not alter the content and style of stories written first for the print newspaper. "However, when writing exclusively for the Web, our style is a bit looser, more conversational, allowing for a quicker read."

When asked about unique content published online that had not appeared in the print edition of the newspaper, 20 percent of the online editors said they published no unique content online (Table 5). Other editors said their online papers included news content not appearing in the print edition (31 percent), additional photographs and artwork (44 percent), special feature packages or sections such as city and restaurant guides (53 percent), and additional entertainment content such as polls, games and quizzes (47 percent). Two respondents said the online paper included audio and video clips; another had streaming media; and still another had MP3 sound

files and Quicktime movie clips. Forty-eight percent of editors said the online newspapers carried e-mail links to reporters who write the online stories.

Table 5.
Unique Content in the Web Edition of the Newspaper

Additional news stories	31 %
Additional photos/artwork	44 %
Additional features/special sections	53 %
Entertainment content: polls, quizzes	47 %
No unique content on Web	20 %

When asked whether news is posted online before it is published in the print edition of the newspaper, 18 percent of the respondents said they regularly publish information online before it appears in the traditional print publication, and another 49 percent said they occasionally publish breaking news online before print. Thirty-three percent said they publish news online only after it is released in the print edition. One editor wrote that the compromise his editors reached was to release the material online as the newspaper is loaded on the trucks for delivery.

Online Newspapers and their Readers

Online newspapers have varied requirements for readers of Web editions. Twelve percent of the respondents said their papers require readers to accept cookies to read their Web papers. A mere three percent require readers to register before they can use their site, and four percent ask readers for demographic information, such as age, gender, zip code and interests. Two percent of the papers use the demographic information to shape news content of the online site, and three percent use it to direct advertisements to readers as well as to sell to advertisers.

Thirty-eight percent of the respondents provide readers community Web pages at the newspaper site to post community notices and organizational information. Of those providing readers' pages, 63 percent of the editors said they monitor the pages for inappropriate or offensive content. Twenty-six percent of the online journalists said their papers provide chat rooms for readers. Of those providing chat rooms, 40 percent say they monitor the chat rooms for inappropriate or offensive content. Forty-three percent of the respondents said the paper's Web site provides readers' message boards and, of those, 66 percent monitor them for offensive or inappropriate content.

Several editors raised concerns about having to monitor chat rooms and discussion boards. One editor wrote of having to delete inappropriate and derogatory comments in the online paper's guest book. When confronted with inappropriate comments, the paper informs the submitters of the inappropriate use of the guest book and asks them to discontinue such postings – which most did. Another paper dealt with individuals who posted personal attacks by "identifying and denying access privileges to users who did so." One editor wrote that some users posted defamatory material about local residents on the electronic bulletin board and the paper had to provide documentation of those posts to a court of law. One editor said that the paper posts a disclaimer regarding the content of its readers' forum and reserves the right to remove offensive material. Another said that when people post inappropriate material, the staff simply removes the offensive material.

One editor said the reader postings had raised concerns for his online staff. His solution: "We take the stance that the users need to be held responsible for moderating the forums, and should someone complain about a particular item, we will act accordingly."

A problem in protecting readers from offensive content occurs when online news stories include links to information outside the newspaper's control. When asked whether an online newspaper should provide links to sites of questionable taste, i.e. hate groups' sites in a story about hate groups, 70 percent of the respondents said they should not. Only 22 percent of the newspapers have a policy limiting such links. One editor reported that his online paper did not link to Web sites in the news that deal with pornographic content, but did provide links to other sites that are mentioned in the news.

Editors were asked whether their sites warned readers when leaving the newspaper's site for linked sites. Only 13 percent said their papers provided such warnings. One editor raised a linking issue just the opposite of the issue when newspapers link to other sites; that editor was concerned about other sites using their frames around the newspaper's content.

Ethical Concerns in Publishing Online

Editors were asked to compare standards of practice in traditional print media to those practiced in the new online publications. All but two percent of the editors agreed that journalism ethics and standards should be the same whether publishing online or in print. The online editors were asked about fact-checking and editing in the online version versus traditional publishing. Eighty-six percent said the standard methods of fact-checking and copy editing apply in both traditional and online publications but the other 14 percent said the new medium requires a new style. One editor made a case that online and traditional print newspaper publications should be treated the same:

> Online news copy should be handled the way traditional copy is handled; there is no difference. Good print copy makes for good online copy. Bad print copy makes for bad online copy. The standards should not vary. If a story is well-written, interesting and compelling, the user will read it online or in print. It is a fallacy that Web readers are different from print readers.

Another respondent agreed that online copy needed the same editing and fact checking, but "in the writing of the story, the story style and structure need to be different for the medium and attention span." Another editor said that the online edition put the local newspaper into more of a wire service mode: "Get as much information out there as fast as you can." Another editor wrote: "The standard copy desk runs on a daily cycle; new media require a totally different news cycle. The eyes should still be on the copy [but] the traditional model simply doesn't allow for the flexibility of breaking news around the clock."

The editors identified a couple of areas that posed problems for online publications. Forty-seven percent of the respondents agreed that the ability to publish information immediately online has led to an erosion of the standards of verification for online publication versus the print version. One editor wrote that everything produced for the online edition "should be checked for accuracy with the same zeal as it is in print," but admitted that because of immediate posting, "obviously the way copy is handled must be changed – it's gotta be faster." Another editor wrote that because of the need for faster turnaround, the paper does not wait for all the details on breaking news stories but goes with the best information available at the time.

Editors at smaller circulation newspapers were more likely to agree that immediacy erodes standards. While 54 percent of respondents at newspapers with circulations of 50,000 and under agreed that the ability to publish information immediately online has led to an erosion of standards, only 32 percent of the respondents at newspapers with circulations over 50,000 agreed (Chi square = 7.6, d.f.=1, $p < .001$).

And 30 percent of respondents agreed that online newspaper journalists are not as likely to follow traditional journalism ethics/standards as are their traditional print colleagues. One respondent wrote that the same standards of accuracy, fairness and balance still apply but "the

speed of the medium prevents a traditional copy-editing process. Every piece of copy can't be touched by a copy editor – only select content."

Thirty-seven percent of the online editors said that it would be easier to strictly adhere to specific ethical standards if they had a larger staff. Recall that 27 percent of the responding editors said they had no full-time staff devoted to the online operation. However, size of respondent's online staff did not predict whether the respondents agreed that it would be easier to strictly adhere to specific ethical standards if they had a larger staff.

The editors were asked what the corrections policy for online newspapers should be. Twenty percent of the respondents said that online newspapers should run a correction after publishing a mistake. Seventeen percent said that they should replace the incorrect story with a new, corrected version. Sixty percent said that they should run a correction and replace the incorrect story with a new, corrected version.

However, when asked whether their online newspaper had a formal corrections policy, only 36 percent said yes. Of those who have a policy, 23 percent run corrections after publishing mistakes; 17 percent that they replace the incorrect story with a new, corrected version; 57 percent that they run a correction and replace the incorrect story with a new, corrected version; and 2 percent indicated another option. One respondent reported that the online edition runs corrections in a specified place and also inserts the correction into the original story, indicating it is a correction. He wrote: "To simply replace an 'incorrect' story with a 'correct' smacks of '1984' and the wholesale revision of history." One editor said his paper posts a correction but does not go back and correct the original article "because our staff time is limited."

The survey inquired into the role advertising plays in the online news product. Respondents were asked to choose from three general statements about the role of advertising at their online news operations.

Only 3 percent agreed with "advertising in the online product is our primary reason for being on the Web and thus must come first in any decision-making regarding content." Sixty-four percent checked "advertising in the online product is a key to Web profitability and should be worked in wherever possible." One respondent added to the statement: "wherever possible within certain standards." The remaining 33 percent agreed that "advertising in the online product is always secondary to the function of informing the public and is carefully and visibly separated from news content."

The survey inquired about breaks in the wall separating news and advertising. Twenty-six percent of the respondents said that their news editorial online staff members also write and design ads for the online site. The survey also asked the editors whether online newspapers should publish links to preferred advertisers, for instance, a book review page from which you can instantly buy from the advertising retailer the books being reviewed. Fifty-eight percent said it was fine for newspapers to publish such links to preferred advertisers, but only 19 percent of the respondents said their papers have such links. And of those that have links to advertisers in related news copy, 30 percent indicated that the newspapers received commissions for every purchase made through the link.

One editor wrote that the newspaper has had to clarify that advertising and promotional copy in the online edition must be clearly labeled and kept separate from news content. However, the respondent said, "Really, it is no different than the troubles or controversies involved with the print edition. The rules should be the same."

Another avenue for online revenue was explored. The editors were asked about whether archival details news organizations gather about individuals in their communities should be packaged and sold as an information product. Forty-four percent of responding editors agreed, but only 10 percent said that their newspapers sold this information.

Codes of Ethics and Other Concerns

Respondents were asked about their news organization's code of ethics. Twenty-three percent said they had no formal ethics code. Another 42 percent said they had a traditional ethics code but it did not address new media issues such as linking. Another 35 percent said they had both online and traditional codes or one code that covered both areas well. Larger circulation newspapers (50 percent of those with greater than 50,000 daily) were more likely to have a comprehensive code than smaller papers (only 29 percent of papers 50,000 and under).

If the organization had an online ethics code, the editor was asked how the code operated. Fifty-eight percent said every employee was aware of the details of the code and its influence was an important part of the operation. Another 20 percent said their employees knew of the online code but it really did not influence day-to-day operations, while the remaining 22 percent said the code was not in active use in the newsroom.

Editors indicated that journalists should come to their jobs already understanding ethical journalism practices. Most editors (98 percent) said they expected journalists they hire to have a good grasp of news ethics. Ninety-seven percent agreed that journalism schools should require students to take an ethics course that included specific online issues. However, only 47 percent of the editors indicated they had a journalism ethics course as part of their formal education. Of course, only 53 percent of the respondents had majored in journalism at either the undergraduate

or graduate level or both. One respondent said he was troubled because the staff working in the online edition had little or no newspaper experience.

An open-ended question gave the editors a chance to relate any other online ethics issues that they have faced at their online operation and that were not addressed in the questionnaire. Twenty online editors responded to the question. All but two responses related to issues discussed above. Two responses presented novel issues.

One Web newspaper site carried a photo of a victim darkened in Photoshop to blur her identity. After publishing the photo, the staff realized that anyone with Photoshop could download and lighten the image and recognize the subject. The online staff pulled the photo.

Another editor said that the newspaper had published in print and online the name of a woman who was held hostage for a few days during a trip to the Caribbean. The woman started receiving unwanted e-mail messages and phone calls from people who had read the story online during the year after it was published. She asked the newspaper to kill the story from its online site. After conferring with the paper's editor, the online staff pulled it. "A story can have a life of its own on the Web and can be circulated for many months after it is written," the editor wrote of this incident.

Discussion and Conclusions

Are the ethical standards of traditional print journalism currently being upheld by online versions of daily newspapers in the United States? Many news professionals say they are not.

Among the online managers surveyed, nearly half – 47 percent – say the speed of the Internet has eroded the key standard of accurately verifying the facts of a story before putting it before the public. Nearly one in three – 30 percent – reported that online print outlets are not as likely to follow the general ethical standards of journalism as are traditional newspapers.

The speed of the Internet medium is not held entirely to blame by the news managers polled, since 37 percent indicated that ethical standards are easier to meet when there is an adequate number of employees working in the online operation. Forty-six percent of the daily newspaper online operations polled are staffed by one full-time worker (19 percent) or all part-timers (27 percent). Those surveyed reported an average of six full-time staff members working exclusively for the online operation in one capacity or another. This is only slightly higher than the average of four reported by Fitzgerald in 1997.

A healthy majority of the online managers in the study report they make at least some changes to material from their print editions when it is published online, and 67 percent report they are publishing at least some breaking news online first – before it goes through the traditional print-edition editing regimen. Online teams – many of which are operating with no full-time staff or a skeleton staff – are asked to constantly remake the news stories in their Web editions to keep them fresh, and they are expected to push hot, breaking-news items online quickly. High standards of responsibility and ethics are difficult if not impossible to uphold in this sort of environment.

Ninety-eight percent of the respondents in this survey indicated they expect the journalists they hire to have a good grasp of news ethics, and 97 percent support the idea that journalism schools should require an ethics course that covers issues specific to online operations. A shortcoming of relying on journalism schools to teach ethics to online journalists is pointed out in the fact that only 53 percent of the people surveyed in this study majored in journalism at the undergraduate or graduate level. Even if online ethics courses were required at all of the nation's communications schools, a great number of online professionals would slip through untutored. Because many people who work in online operations are not trained

journalists, they not only lack training in ethics; they have little or none of the background in editing, fact-checking, theory and media history expected of most journalism school graduates.

The public has expressed doubts about online media, and so too do media professionals, yet 45 percent of the online managers surveyed either have no ethics code in place (23 percent) or said their ethics code is not in active use (22 percent).

New issues are part and parcel of the new media, and concerned people in newsrooms everywhere should be addressing the idea of establishing an ethics protocol at their operation. Mistakes are made and negative public perceptions are formed when there is no structure in place for heading off ethical problems or efficiently correcting such problems.

Planning is key. Managers in the information industry should agree to some uniform codes. For example, take a look at correctives. News managers have yet to work out a reliable method for alerting online audiences to mistakes in stories. The industry could clear up some public doubts and win themselves some public relations points by working to find a universal solution to this thorny problem. Readers navigating news sites should not be required to hunt around for varied correctives and clarifications. The solution could come through the industry agreeing to adopt something as simple as a clearly marked link placed, for instance, in the top-left hand corner of the home page near the masthead of every Web news site. The key would be to have the C&C button placed in the same location and look the same graphically on every site. In addition, it would be expected that each correction would be clearly labeled in any archival edition of each story. Of course, implementation of such a protocol would depend on adequate staff resources at the online newspaper.

Ethics issues in the new media are and will be in constant flux. Mass media managers would be well advised to involve all staff members in the process of establishing and

maintaining a viable ethics framework. Each individual organization must shape its ethics protocol for the correct fit, keeping in mind the product, its producers and its consumers. The framework must be updated regularly, when new issues of the new media or changes in society's norms make themselves evident. Goals of the code must be attainable and situational ethics discussions expected.

Leaders in the news industry must discuss and come to some consensus on an array of general issues, including staffing and ethical decision-making – both key to the ultimate audience perception of the information product. Vital areas in need of scrutiny include: online staff sizes and expected workloads for online employees; the establishment of active ethics protocols specific to online newsgathering and Web publishing; retention of regimens of pre-publish fact-checking and careful editing in the rapid-fire world of instant e-news; the obvious and consistent placement of correctives and clarifications that change the complexion of a news story; the use of product placements beside corresponding editorial material; the policing of chat rooms and community bulletin boards; the sale of archival information; and the manipulation of images.

Newspapers bring to the vast Web of information pages brand names that people trust for reliable information. Although the new medium demands some changes in protocols practiced in print publishing, newspapers cannot abandon any of the rigor of their standards of accuracy and integrity as they move from print to the online product. Otherwise, the online offspring could damage the newspaper's reputation and squander the immense value of the parent's good name.

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COVERING THE ETHICS OF DEATH: AN EXPLORATION OF THREE MODEL APPROACHES

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ABSTRACT:

COVERING THE ETHICS OF DEATH: AN EXPLORATION OF THREE MODEL APPROACHES

Through an in-depth textual analysis, this paper examines portrayal of the ethics of assisted suicide and euthanasia in three 1998 newspaper pieces that are exemplary in the depth of their treatment of ethics -- and therefore, it is argued, ethically responsible in their coverage. Presentation of deontological and consequentialist issues and of ethical questions and themes is examined in these pieces, and implications for future research on ethics coverage and for coverage itself are discussed.

COVERING THE ETHICS OF DEATH: AN EXPLORATION OF THREE MODEL APPROACHES

Physician-assisted suicide and euthanasia have become significant issues in American society in recent years. Important events related to these issues include the U.S. Supreme Court's ruling in 1997 that there is no fundamental constitutional right to assisted suicide,[1] Oregon's passage that year of a law allowing assisted suicide, and Dr. Jack Kevorkian's continued practice of assisted suicide and efforts to stop him – culminating in a trial that grew out of his televised killing of man that went beyond assisted suicide to euthanasia.[2] Assisted suicide and euthanasia raise important ethical issues such as the place of patient autonomy, the proper role of the physician in alleviating suffering, and the duty to preserve life -- issues that have found their way into news coverage connected with these practices.

This paper examines coverage of the ethics of assisted suicide and euthanasia not by assessing a large body of articles but by looking in depth at three stories that, in different ways, can serve as exemplars for how ethical nuances of these topics can be portrayed. The analytical framework for the study[3] is grounded in concerns of ethical theory. Although this paper focuses on how journalists can cover the ethics of <u>others</u>, it is presented with the premise that ethics coverage is a matter of <u>media</u> ethics as well. Craig has noted that normative press theory literature from Siebert, Peterson, and Schramm[4] to Christians, Ferre, and Fackler[5] "has implicitly highlighted the need for ethics coverage -- and, thus, for assessment of coverage -- by emphasizing journalism's responsibility to society."[6] The framework used in this paper treats "ethics coverage as a moral obligation of the news media."[7]

The idea that ethics coverage is itself ethical -- in fact, morally obligatory -- is consistent with the both the social responsibility[8] and communitarian[9] theories of the press. Both normative

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theories support the notion that journalists should serve society, not simply report events.[10] Covering the ethical dimension of issues facing professions and society is an important service because of the significant ethical implications not only of assisted suicide and euthanasia but also of other matters related to medicine, business and other professions.[11]

Literature Review

The review of literature related to this topic touches on three areas: previous research on coverage of assisted suicide and euthanasia, research on coverage of other areas related to bioethics, and research on coverage of ethics across professions. News coverage has received previous scholarly attention in each of these areas, but seldom through the explicit and systematic use of ethical theory.

Coverage of assisted suicide and euthanasia

Several researchers have examined coverage of these topics. Some have touched on ethical issues, but none systematically. In the most in-depth discussion of coverage, Kalwinsky used textual analysis to assess portrayal of assisted suicide in the *New York Times* from 1991 to 1996.[12] He touched on matters of ethical concern at times, finding for example that individual autonomy was a strong thread in narratives while at the same time these narratives left the individual impotent by deferring to institutional authority. However, his approach was not grounded in ethical theory but rather in cultural studies. Smith focused his analysis on a single piece in the *New York Times Magazine*,[13] criticizing the piece as one-sided, uncritical advocacy of assisted suicide. He referred to ethical issues such as informed consent and "slippery slope" concerns but did not analyze the piece explicitly and systematically out of an ethical framework. Andre, Fleck, and Tomlinson offered what they acknowledged was a tentative analysis of

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coverage of four ethics stories in leading newspapers and newsweeklies, including coverage of Janet Adkins, the first suicide in which Kevorkian assisted. Writing in the context of a medicine and philosophy journal's broader discussion of "Bioethics and the Press," they briefly noted ethical issues that emerged in this assisted-suicide coverage: "worries about whether physician-assisted suicide violates the commitments essential to medicine" and "worries about unnecessary suffering at the end of life."[14] Somerville, in a commentary on euthanasia coverage, contended that journalists are influenced by their own belief in personal autonomy, and that social-level concerns about euthanasia, which may involve issues of harm, are hard to convey on television.[15] Another, broader study on coverage of Kevorkian noted ethical questions that have arisen from his activities but focused on comparing characteristics of cities with their newspapers' coverage of him.[16]

Coverage of other bioethical topics

Studies have examined coverage of other topics that involve ethics in medicine and science, but seldom explicitly by using ethical theory.

Craig, studying news coverage of ethical issues in genetic testing, did use a framework explicitly grounded in ethical theory. Among other things, the textual analysis of 31 stories by major news organizations found that concerns about consequences, especially avoidance of harm, received more attention than ethical duties.[17] Patterson and Hall, in a study examining public discourse about abortion in print media from the 1940s to the 1990s,[18] used an ethic of care[19] in their analysis. Hopkins' analysis of coverage of cloning in 1997 after the sheep "Dolly" was cloned referred in passing to issues of ethical theory such as concerns about treating humans as means.[20] Chadwick and Levitt, discussing coverage of genetic screening, drew on Klaidman

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and Beauchamp's framework of journalistic ethics[21] to suggest that alternatives and consequences related to screening be portrayed.[22]

Analyses of coverage of heart transplantation,[23] the right-to-life case of Baby Jane Doe,[24] discussion of embryo research in Britain,[25] biotechnology,[26] and research on genetics and homosexuality[27] have addressed ethics coverage but did not explicitly use ethical theory. A variety of literature on risk communication -- such as coverage of the greenhouse effect -- has also touched on ethics, directly or indirectly.[28]

Research on coverage of ethics across professions

Although the focus of this study is on coverage of one topic within the realm of bioethics, it also fits into the broader context of research on coverage of ethics across professions. A March 1995 conference on "The Reporting of Ethics and the Ethics of Reporting," held in conjunction with the annual meeting of the Association for Practical and Professional Ethics, focused through panels and discussion on reporting about values, ethics, religion, and policy, and on journalism itself. Since then, little published work has broadly addressed coverage of ethics across professions.[29]

However, Craig has argued for the need for careful analysis of ethics coverage and proposed a framework, based on ethical theory, for evaluating coverage of ethics in professions and society.[30] The framework calls for evaluating stories "based on how thoroughly they portray the ethical issues relevant to a topic, the parties connected with those issues, the levels at which the ethical issues play out [individual, organizational/institutional, professional, and social], and the legal backdrop for those issues."[31] The theoretical lens for assessing coverage in these four areas is C.E. Harris's categories of types of moral judgment, which distinguish among actions that are morally impermissible, morally obligatory, and supererogatory, or "above and beyond

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the call of duty."[32] Under the framework, if the coverage of an ethically significant topic is weak in these four areas, it is judged to be morally impermissible. An individual in-depth story that neglected ethics would also be considered morally impermissible. Some coverage of the ethical dimension is considered morally obligatory; comprehensive attention is considered supererogatory. In other words, the degree to which the four descriptive categories are present is used as a means to evaluate the ethical adequacy of coverage.

The most important of the four criteria for judging ethics coverage is portrayal of the ethical issues and themes themselves. Craig argues that some attention "to issues of duty or consequences or other relevant ethical questions or themes" is morally obligatory in reporting a story with a significant ethical dimension.[33] As the method section will detail, the present study is built on this core part of the framework. It therefore helps to fill the gap in scholarly analysis of ethics coverage evident in this literature review.

Method

The three stories examined in this study emerge from a body of 50 newspaper stories analyzed for a broader study of print and broadcast coverage of assisted suicide that is still in progress. The research question guiding the broader study is: How is the ethical dimension evident in the content of coverage of physician-assisted suicide? The 50 articles were obtained through a search of major newspapers in Lexis-Nexis for articles that included mention of assisted suicide or Kevorkian, along with ethics or cognate terms. Though the analysis went beyond looking for the presence of these terms, as noted below, only articles with this kind of manifest ethics content were chosen because this wording suggested some intent on the part of the reporters or editors to explicitly address the ethical dimension.

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The articles included locally produced news, analysis, and commentary pieces, as well as pieces in question-and-answer and conversation formats. Wire copy was excluded because the copy may have edited down or changed from the original, and because wire service writers are not under the control of the newspapers -- and therefore do not represent the work of these major papers. The stories spanned the period from January 1997, when the Supreme Court heard arguments on assisted suicide, to April 1999, when Kevorkian was sentenced.

The choice to focus on just three journalistic pieces in this paper is in keeping with a qualitative approach to analyzing text, in which nuances of meaning and depth of understanding take priority. Although Kalwinsky's textual analysis of *New York Times* coverage did not use ethical theory as its theoretical backdrop, his comments on the appropriateness of textual analysis are relevant here: "In dealing with an issue as complex and sensitive as PAS, it is imperative to remember that the phenomenon has articulated, layered meanings; grounding in textual analysis permits emergence and display of distinct meanings."[34] Nuances of language are particularly important in portraying ethical issues and questions because the specifics of language are used to frame matters that are both morally complex and morally significant. An in-depth, qualitative analysis of these stories is methodologically appropriate because, while it does not offer statistically generalizable findings, it puts a magnifying glass to three detailed portrayals of the ethics of an important national issue.

In addition, it is hoped that an in-depth look at a few stories with exemplary qualities in their treatment of ethics will provide worthwhile practical insight to journalists and others seeking to improve portrayal of ethics. Substantial detail in discussion of the specific elements of stories would be impossible if more stories were covered.

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The three pieces that are the focus of this paper are an appropriate group for this analysis because they all give considerable and nuanced attention to the ethical dimension of physician-assisted suicide or euthanasia, they use a variety of journalistic approaches to do it, and they all grow out of the same event. One is an analytical piece that ran in the *Los Angeles Times* "Southern California Living" section[5]; the second is a "Beliefs" column in the *New York Times*[6]; and the third is an edited discussion among four people published in the "Living" section of the *Omaha World-Herald*.[7] All three ran shortly after "60 Minutes," in November 1998, showed a videotape of Kevorkian killing a man by euthanasia. The analysis of the pieces will focus not on the ethical question of whether "60 Minutes" should have televised this episode but on how the pieces portrayed the issues of assisted suicide and euthanasia.

The assessment of these stories was grounded in the framework for analysis developed by Craig[8] -- specifically the core criterion of how ethical issues and themes were portrayed. In particular, two analytical questions that Craig developed from this framework[9] guided the readings of these three stories and the others:

1. Does the story address issues of duties and consequences? Little or none, some, or comprehensively? This question's focus on duties and consequences (both benefits and harms) is theoretically appropriate in light of the importance of deontological and consequentialist perspectives in ethical theory, both historically and in applied ethics today."[10] The analysis for this paper followed Craig's use of four specific duties drawn from religious and philosophical ethics -- faithfulness to commitments, sensitivity to human needs, autonomy, and justice -- in consideration of how stories portrayed issues of duty connected with assisted suicide and euthanasia. The analysis also left room for noting the appearance of other duties, as the Craig

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framework did. Operational definitions were developed for the analytical categories to help unearth the occurrence of matters of duty and consequence.[41]

2. Does the story include ethical questions and themes? Consideration of these matters broadens the analysis. It focuses attention on use of questions, an important matter in that questions directly address ethical problems to the reader.[42] It also enables, through examining themes, consideration of ethical issues "that may not fit neatly into any theoretical box."[43] In addition, looking for themes -- recurring or prominent threads of language[44] -- helps to pinpoint the specific language constructions that the pieces use to portray ethics.

Although the analysis focused on these two questions, some prominent references related to the issue of levels of analysis[45] -- another part of the Craig framework -- were also noted. In addition, some other features of the pieces' handling of ethics not directly connected to the framework were noted -- appropriate in light of the still-exploratory nature of the study of ethics coverage.

Printouts of each of the three stories and the others were read at least once initially to mark ethics content. In keeping with the operational definition of ethics, this close reading considered both direct references to ethics, morals, and their cognate terms, and matters of benefit or harm, and moral duty or choice, stated or implied. All parts of the article related to ethics were then examined closely and marked for references that stated or implied matters of duty and consequence -- consistent with the operational definitions of duty, consequence, and specific issues of duty and consequence. As with the overall ethics content, both directly stated references to matters of duty and consequence and implied ones were marked. The articles were then searched for ethical questions and read closely for ethical themes, again in keeping with the

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definitions. Code sheets that included text examples and comments were kept electronically for each article.[6]

Findings

The presentation of findings will assess key parts of each piece to illustrate how they portrayed issues of duty and consequence and presented ethical questions and themes, as well as other notable characteristics that emerged in their portrayal of ethics.

Los Angeles Times analysis

Staff writer Mary Rourke's 900-word story is notable for presenting ethics in a sophisticated way, in relatively limited space, while being engaging and not too ponderous.

The lead introduces ethics with a concrete question:

> Is it worse to commit a murder than to assist in a suicide? In the eyes of the law, yes, there is a big difference. But in the realm of ethics, there is only a shade of distinction between the two acts. Some would say there is no difference at all.

This opening immediately confronts readers with a question of moral distinctions, or lack of them. It also quickly places the story "in the realm of ethics," then highlights the fact that nuances of moral meaning -- shades of distinction -- are important in ethics. And it does all of this in short, clear sentences.

The second paragraph provides factual background and makes a transition to further discussion of ethical issues:

> After the CBS news program "60 Minutes" aired a videotape Sunday showing pathologist Jack Kevorkian injecting a dying man with a lethal toxin, Michigan county prosecutors announced they were investigating it as an apparent homicide. Kevorkian has claimed that since 1990 he has assisted 130 suicides, but this latest act goes beyond the role of accomplice.

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Following this contextual setup, the third paragraph specifically defines medical ethics for the reader and addresses issues that are considered in that realm:

> No matter what the law decides in this case, in medical ethics--which studies norms of behavior and moral judgment--Kevorkian's activities raise a different set of questions. Here, attention shifts from the doctor to the patient. The first concern is whether the patient freely chose the option. That opens a range of issues to explore, from why the person made the choice to whether he or she was competent at the time.

The questions of "whether the patient freely chose the option," "why the person made the choice" and "whether he or she was competent at the time" are set up explicitly as ethical questions and the focus of them, the patient, is spelled out. The ethical issue of autonomy surfaces in these questions as well since they raise the matter of choice. The patient choice issue is raised prominently enough, in fact, that it can be considered a theme of the article.

Significantly, given the importance of faith in many readers' lives and its influence in end-of-life issues, religious ethics is then presented in the fourth paragraph and its different focus spelled out:

> Religion-based ethics change the focus once again. In this case, the issue revolves around the value of life and the right of anyone to destroy his or her life, or that of another. The basic question is primal: "Who owns my body?"

Again the device of a question is employed, after being framed as a question rooted in the different focus of religious ethics. Also in this paragraph, duty concerns are raised out of religion-based ethics -- the duty to value life and not destroy it. References to the theme of the right (or absence of a right) to destroy life surface beginning here and occur a total of seven times in the story.

By the end of the fourth paragraph, then, readers have already had the opportunity to begin understanding the ethical nuances of this topic through questions, expressions of ethical duty, and references that by their prominence or repetition in the article embody ethical themes.

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The fifth paragraph uses a good device to introduce formal terms related to euthanasia:

> To debate Kevorkian's actions, obscure language has been reintroduced to daily conversation. In ancient Greece, "euthanasia" was the term for a legal, easy and painless death. Kevorkian's techniques require some fine tuning of the language. Until this recent case, his "passive euthanasia" facilitated a suicide by setting up the machinery but then allowing the patient to push the button that activates it. "Active euthanasia" involves pushing the button for the patient.

By acknowledging that ethics sometimes involves "obscure language," then explaining this language clearly to the reader, the writer helps to demystify the consideration of ethics -- perhaps breaking down a wall that might have kept some readers from sticking with the story.

The sixth paragraph is a transition and introduction to another point:

> Some medical ethicists say Kevorkian crossed a line when he administered the lethal injection because he pushed a civilized society one step closer to being a cannibal state.

The next paragraph then elaborates on the "slippery slope" consequentialist argument hinted at in the sixth paragraph:

"We live on a slippery slope where the ethical challenge is to put wedges at points we agree on," says Dr. Mary Mahowald of the MacLean Center for Medical Ethics at the University of Chicago. "Kevorkian's latest action amounts to the removal of the wedge."

After background on Mahowald in paragraph eight, she follows in paragraph nine by raising the autonomy issue:

"The difference between giving you the medicine and administering it myself is an important one," she says. "If I give it to you, there is always room for the possibility that you won't take it."

Though this comment does not use the word autonomy, it highlights the issue in relation to assisted suicide versus euthanasia by arguing that autonomy is preserved to at least some degree in assisted suicide because the patient retains the choice not to take the medicine.

Paragraphs 10 to 14 address in more detail the religious-ethics perspective raised earlier. Duty concerns again are raised in this context. For example, paragraphs 10 and 11 state:

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> Looking at euthanasia from a faith-based perspective does not offer one universal answer. The most conservative religious teachings hold that it is never acceptable. Others allow for exceptions, although they start from the same premise.
>
> "Our bodies belong to God," says Elliot Dorff, rector of the University of Judaism. He has drafted several statements on euthanasia for the Conservative Movement's Committee on Law and Standards. Because the body is not owned by the person, according to Conservative Judaism, a person has no right to take his life or another's. There is no right to assist in another's suicide, either. In Conservative Judaism, active euthanasia makes a person more culpable because it is manslaughter. By assisting a suicide, a person leads another astray but avoids the ultimate responsibility for a death.

Rourke clearly sets up for readers the fact that a number of perspectives of religious ethics have a specific presupposition: "Our bodies belong to God." She also again points to duty to value life and not destroy it, here tying this issue specifically to God's ownership of the body.

Paragraph 15 raises issues of both duty and consequence:

> By his very public acts, Kevorkian has forced urgent health-care problems to the center of attention. Most of them have to do with how we treat the dying. Lack of adequate pain medication and lack of support for good nursing homes, spiritual care and hospices --in which the dying are allowed to end life naturally, with pain control -- are key concerns.

The references to "Lack of adequate pain medication and lack of support for good nursing homes, spiritual care and hospices" raise the ethical issue of sensitivity to human needs in that pain medication and these other measures would be aimed at meeting needs. The issue of faithfulness to commitments also emerges here because these statements imply an obligation to act in an ongoing way to provide acutely needed help. Similarly, the issue of justice is implied in that good care represents treatment that is appropriately owed to hurting people. From a consequentialist standpoint, harm is clearly implied as well. An ethical benefit is even suggested by the author when she writes that "Kevorkian has forced urgent health-care problems to the center of attention." Both paragraph 15 and the following paragraph -- on advocates of aggressive pain control -- carry the theme of suffering or relief from suffering.

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The story closes with two paragraphs including the views of medical ethicist Arthur Caplan. The final paragraph implies concerns of autonomy and justice in the emphasis on rights:

> "I'd like to see assisted suicide as the last option," Caplan says. "It would be nice if 'the right to health care' became more important than 'the right to die.' "

By closing the story with this comment, Rourke leaves the emphasis on the need for society to provide good health care -- thereby leaving the way open for readers to consider their views on the broad issue of rights to health care.

Throughout this story, the writer explores ethics with both nuance and clarity. She repeatedly presents issues of duty, such as concern for autonomy and the duty to value life, and to a lesser extent consequences, such as concern that Kevorkian's lethal injection may help society down a "slippery slope." She confronts readers with ethical concerns five times through questions. Repetition or prominent expression of three concerns -- patient choice, right to destroy life, and suffering or relief from suffering -- brings home ethical themes to readers. Sometimes referring to formal ethical terms and sometimes touching on ethical theory concerns without speaking of them formally, she leaves the thoughtful reader with considerable ethical grounding from a relatively brief piece.

New York Times column

This piece, by Peter Steinfels, writer of a regular column on "Beliefs" for the *Times*, runs about 780 words. It handles ethics well in pointing out the importance of considering ethics at the social level, beyond difficult, "heart-wrenching" cases -- and for being specific about the issues that arise from assisted suicide and euthanasia. For these reasons, the column is worth close attention to assess its handling of ethics -- in this case, particularly in the second half.

Kevorkian's ethical argument for his euthanasia of Thomas Youk is embedded in the

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lead, as is criticism of this viewpoint:

> Last Sunday, "60 Minutes" broadcast a step-by-step, close-up videotape of a killing and gave the killer, Dr. Jack Kevorkian, a national platform to explain his act as a humane deed rather than a crime.

This sentence acknowledges Kevorkian's framing of euthanasia as an act of sensitivity to human needs -- "a humane deed" -- while making clear the columnist's criticism of this view through Steinfels' framing of Kevorkian as a "killer." This brief reference to humaneness also introduces the theme of suffering or relief from suffering that also appeared in Rourke's article. This theme is later implied in different ways in the middle and near the end of the column.

The second and third paragraphs include general mention of ethical debates about euthanasia and the news media, and background on the "60 Minutes" piece. The fourth and fifth paragraphs deal with questions directly tied to journalistic practice but not to journalists portrayal of the ethics of euthanasia. The notion of national discussion of euthanasia is also mentioned, as in paragraph four:

> Was this, as some critics asserted, degrading sensationalism? Was it thinly disguised advocacy journalism? Or was it, as CBS and its defenders said, a newsworthy event that advanced a discussion the nation must inevitably confront?

In the sixth paragraph, Steinfels contends that the "60 Minutes" piece performed what could be considered one ethical benefit:

> There is no question that the "60 Minutes" report advanced the discussion of dying in one sense. It allowed Dr. Kevorkian to illustrate what many opponents of doctor-assisted suicide, and some supporters, have argued, that the moral and legal line between assisting a suicide and directly ending a life is paper thin. The report also illustrated the difficulty of trying to limit such recourse to those within six months of dying. The broadcast did not mention whether Mr. Youk would have met that restriction.

With the reference to the "paper thin" moral line between assisted suicide and euthanasia, the columnist, like Rourke, highlights the fact that moral distinctions are important in ethics.

The seventh paragraph brings out issues of both duty and consequence in questioning

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what viewers could learn from the broadcast:

> Beyond that, it is fair to ask what was really learned from the video? In the most literal sense, it put a face on a victim of a debilitating and ultimately fatal disease, and the faces on his closest family members. But what else? The program gave viewers the scantiest sense of him as a person (he led an active life and raced cars); it told little of his medical condition or prognosis except what Dr. Kevorkian reported; and while portraying his family's anguish ("We were at the end of our rope. We didn't have any options"), the report offered no specifics about what medical care and resources were available to his family.

The reference to Youk as "a victim of a debilitating and ultimately fatal disease" implies concerns about the meeting of human needs as well as the harm that comes from debilitating disease (while also bringing forward the theme of suffering or relief from suffering again). These same issues arise in the reference to portrayal of "his family's anguish ('We were at the end of our rope. We didn't have any options')." This anguish implies a need for comfort and points to the harm of intense emotional suffering. Another issue of duty -- the duty to value persons and respect personhood -- arises in Steinfels' comment that the program "gave viewers the scantiest sense of him as a person (he led an active life and raced cars)." Steinfels' criticism of the value of the program for viewer learning brings home the importance of portraying the ethics of euthanasia in a way that advances viewer understanding, given the public importance of this topic.

By this point in the column, Steinfels has given attention to both duties and consequences, and touched on the theme of suffering or relief from suffering, in addition to raising questions -- though they are less connected to the ethics of euthanasia than Rourke's questions.

After criticizing the "60 Minutes" broadcast for lack of balance, Steinfels moves to what is probably the most significant portion of the column from the standpoint of ethical theory. Framing his criticism in terms of consequences and, more broadly, philosophy, he writes:

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> Except for one vague and quickly abandoned question about "abuses," Mike Wallace asked Dr. Kevorkian nothing about the social consequences or philosophical implications of his actions.

This criticism is ethically significant not only for framing the criticism in ethical and philosophical terms but also for noting that Wallace neglected the social level of ethical consideration. Consideration of questions at the level of social ethics is crucial if individual acts are to be placed in the broader context of implications for society's priorities and use of resources.[47]

Steinfels goes on to bring home more strongly the need to consider the social implications of euthanasia by referring to a law professor's article and drawing broader implications from the "60 Minutes" episode:

> There is a lesson in all this that goes beyond a single report by "60 Minutes" and may be especially pertinent if Dr. Kevorkian goes on trial.
>
> The Journal of Criminal Law and Criminology this year published an article by Yale Kamisar, the Clarence Darrow Distinguished University Professor at the University of Michigan Law School. Titled "Physician-Assisted Suicide: The Problems Presented by the Compelling, Heart-Wrenching Case," the article is a long and nuanced discussion of difficult cases like that of Mr. Youk.
>
> Early on, however, the article offers a warning to the news media: "All too often, a reporter believes that the way to provide an in-depth treatment of the subject is to set forth a detailed account of a particular individual begging for assistance in committing suicide -- a detailed, poignant account that blots out what might be called societal or public policy considerations."
>
> Professor Kamisar is not trying to evade the difficult cases. His article tries to confront them from the perspective of a nonreligious, utilitarian opponent of assisted suicide and euthanasia. But his warning is a reminder that a lot more than hard cases may be at stake in this debate.

In making this argument, the columnist offers journalists a significant piece of media criticism that highlights the fact that journalists could better cover the ethics of assisted suicide and euthanasia if they framed these topics in terms of broad ethical questions for society, not just anecdotes that make good leads.

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After noting that "a lot more than hard cases may be at stake in this debate," Steinfels provides a nuanced and concise recitation of some matters that may be at stake:

> The legalization of assisted suicide and its next-door neighbor, euthanasia, may profoundly affect -- for better or worse -- such issues as these: the routine practice of medicine for the aged and debilitated, the expectations and sense of obligation assumed by dying and disabled individuals, the relations between them and family members, and a host of other attitudes and practices well beyond the ranks of the difficult cases or even those usually cited as potential victims of abuse.

Numerous issues from this paper's analytical framework are implied even in this brief mention of ethical issues. The entire paragraph implies ethical consequences that would arise from legalization of these practices -- consequences in areas such as how the aged are treated medically. The mention of medical treatment of the aged and disabled also implies a concern with the meeting of human needs. The notion of obligation, closely aligned wth ethical duty, highlights a concern for the duty that dying and disabled people would feel. The mention of relations between the dying and disabled and family members implies issues of faithfulness to commitments and of justice, or fair treatment to whom it is owed. (The theme of suffering or relief from suffering also is implied again in the reference to potential victims of abuse.)

The column closes by drawing attention again to the importance of broad ethical considerations:

> For the news media, the real ethics challenge may be to keep the obvious power of heart-wrenching instances and courtroom drama from eclipsing these less clear-cut but ultimately more far-reaching stakes.

This final paragraph, by referring to the "less clear-cut" but important stakes, also leaves the reader again with the fact that ethical issues are not always quickly and easily resolved.

Steinfels' column, like Rourke's analysis, shows sensitivity to the importance of nuance in ethical debate. Like Rourke, he points to important considerations in ethical theory, both deontological issues such as sensitivity to needs of hurting people and consequentialist issues

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such as how the aged would be treated if euthanasia were legalized. Repetition of language related to suffering or relief from suffering in the lead, the middle, and near the end of the column underlines this concern as a theme of the article. Ethical questions, from the standpoint of the ethics of euthanasia, are a less prominent feature of this piece than Rourke's. In an even shorter space than she had, however, Steinfels contributes to potential reader understanding by framing assisted suicide and euthanasia in terms of social-ethics issues that go beyond single difficult cases.

Omaha World-Herald conversation

This piece, which ran about 3,500 words, is notable because it is an edited version of a nearly two-hour discussion with four people: an ethicist, the daughter of a woman whom Kevorkian assisted in suicide (she is also a registered nurse), and two doctors -- one an intensive care specialist. The format allows for extensive exploration and presentation of ethics, including substantial treatment of deontological and consequentialist issues and of ethical themes.

A five-paragraph introduction by Mary McGrath, World-Herald medical writer, set up the presentation of the conversation. After referring to the "60 Minutes" broadcast, McGrath writes:

> Perhaps as never before, society is confronted with the ethical, legal and medical ramifications of euthanasia and of physician-assisted suicide.
>
> In a nearly two-hour discussion organized by The World-Herald, four individuals with a deep interest in these issues agreed that Kevorkian's actions are likely to broaden this already controversial debate. They discussed the distinctions between assisted suicide and euthanasia, the strengths and weaknesses of end-of-life care and the difficulty of making rules that fit both society and the individual.

Thus, McGrath sets up the conversation by directly telling readers that society faces the matter of the ethical implications of assisted suicide and euthanasia, then she briefly frames the nature of the conversation.

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The conversation carries considerable deontological and consequentialist content, especially the deontological side and specifically the issue of human needs. Three examples of extended dialogue will show how ethical issues emerged.

The first example revolves around the issue of a severely ill person's choice. Comments were exchanged between Bev Ferguson, an Omaha-area resident whose mother, Janette Knowles, was assisted in suicide by Kevorkian in 1979, and Dr. Debra Romberger, an intensive care specialist at University of Nebraska Medical Center and consultant on end-of-life care:

> [Romberger:] People who support assisted suicide or eventually euthanasia say it's important because we have choice about so many other things. So that's the argument --whether you have choice or whether you absolutely respect life until the very end and only let death occur naturally.
>
> Ferguson: Mom did have choices early on. We did make the choice to have a feeding tube put in so she would have nourishment. That was the only way she could eat.
>
> There were not really any drugs that would treat ALS, at least at the time. The doctors check everything; but in the end you still can't swallow, you still can't walk, you still can't talk.
>
> My brother got her a computer program that let her talk on the phone. But as time went on, she couldn't use it very well. Her left hand went first. And her right hand was going. But the main problem was she couldn't hold her head up enough to see the computer keyboard.

Romberger lays out the ethical nature of the dispute over assisted suicide and euthanasia in what amount to deontological terms. By referring to an argument based on choice, she points to the issue of autonomy. But in proper balance, she counterposes this argument with opponents' concern about the duty to respect life until the end.

Issues of need and harm emerge in Ferguson's portrayal of her mother's condition when she had ALS, or Lou Gehrig's disease. The extended description of her mother's suffering and limitations -- being unable to swallow, walk or talk -- and of her deterioration -- the loss of use of her hands and inability to use her head fully -- implies unmet needs, as well as harm coming from this suffering. Though there would be an ethical danger in focusing on this case alone, in

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light of Steinfels' warning about overemphasis on "hard cases," this section of dialogue does highlight both the difficult consequences of living with ALS and the array of ethical duties at issue.

The second example focuses on concern about better pain management. It involved dialogue among Ferguson; Amy M. Haddad, Ph.D., R.N., an ethics teacher at Creighton Center for Health Policy and Ethics, consultant and author; and Dr. Allen Dvorak, a physician at Nebraska-Iowa Radiology consultants, past president of Nebraska Medical Association and adviser to the Nebraska Coalition for Compassionate Care:

> Haddad: I think the thing about managing pain is probably -- even if it wasn't a central issue in your mother's case, it often is.
>
> Ferguson: Yes. It was becoming painful, but I'd have to say she was not in pain the way many end-stage cancer patients are.
>
> Haddad: When people who are terminally ill are asked what they fear the most about dying, pain is one of the top things. Also, being abandoned or being alone, not being able to do things for themselves and then being a burden to other people. Most people will say the same things.
>
> Among health care professionals, there is a great amount of misunderstanding about the appropriate use of pain medications. I swear, it's like talking about politics or religion or sex when you talk about pain management, because people have these deep-seated values about what is right and what isn't. And they worry about things like addiction with people who are dying, and that makes absolutely no sense. Wouldn't it be wonderful if we could tell people in pain in the United States - and there is this small percentage for whom it is possible we will not be able to control (the pain) - but if we could tell everybody, "We know how to manage pain in this country. You don't have to worry about that, we're going to take care of it." That would be huge. It's not just knowledge. There's something about this that I can't quite put my finger on, about why we don't have the will to do this when we have the will to do so many other things.
>
> Ferguson: But do we have the means?
>
> Dvorak: I think we do. But we have some things that are inhibiting that from happening. There are laws and rules about prescribing drugs. If you fall out of the norm, you may suddenly be called by the State Patrol or be contacted by the state. Educating physicians and health-care providers about how we can control pain would take care of a large part of this fear because I think we can control pain.

More than the previous example, this one shows the benefit of the long form of this presentation because the length of Haddad's comments goes far beyond what would be permitted

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in a conventional news article. And this extra length enables her to comment with sufficient context on the barriers to better pain management. The issue of pain management touches on questions of sensitivity to human needs -- such as dealing with fear of pain -- and faithfulness to commitments to others -- helping to relieve their pain (thereby also treating them justly). In this dialogue, fear of loss of autonomy also surfaces in her comments about people's fear of "not being able to do things for themselves." Consequentialist issues also surface, such as Haddad's pointing to the benefit of telling people that the medical community knows how to manage pain.

The third example involves a discussion between Haddad and Dvorak about "erring on the side of life" versus allowing assisted suicide. This section raises significant issues at the level of professional ethics:

> Amy Haddad: But I think that as a health professional, patients would want me to err on the side of life. If they get to a point where everything I have to offer still is not going to fulfill their needs, I could not participate in that. So where does that leave them if they are still bent on doing this? They will have to seek that assistance elsewhere.
>
> Now we can argue about should it be in the health-care system. Should we have a cadre of nurses and physicians and pharmacists who say, "OK, this will be part of our work. We will do this." Will that still blur that line for all the other health professionals who are going to err on the side of life? There's a concern about that. ...
>
> [Other discussion falls between these comments.]
>
> Allen Dvorak: If you're not sure about whether your physician is going to err on the side of life, is he going to err on the side of death, then I think we really create a problem. Much of our profession is based on trust and honesty and confidentiality and being compassionate and looking at the dignity of life. And if we suddenly discard those foundations or principles, then I think the public would get very, very anxious about our profession.

This stretch of dialogue raises a significant consequentialist issue in that Haddad points to a concern that if assisted suicide becomes institutionalized in the health care system, it will blur the line among health professionals between supporting life and supporting death. Concern about harm also arises in Dvorak's comment that if the medical profession abandons its traditional principles, the public will become anxious about the profession. Significantly, too, in his

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comments Dvorak points to specific foundational ethical duties of medicine -- related to "trust and honesty and confidentiality and being compassionate and looking at the dignity of life." This dialogue, then, raises both deontological and consequentialist concerns at the professional level. As with Steinfels' emphasis on social-level implications, this attention to the professional level takes the reader's exploration of ethics beyond the realm of individual, emotion-laden cases.[48]

In this piece as a whole, the deontological issue of sensitivity to human needs is particularly prominent. As the three examples show, other issues of duty such as autonomy are also evident, along with consequentialist concerns such as harm from blurring the line between supporting life and supporting death. Along with its presentation of deontological and consequentialist issues, this piece's most significant contribution ethically comes in the fact that its lengthy format allows many ethical themes to emerge: patient choice, suffering/relief from suffering, respect for life, fear, quality of life, abandonment, and the slippery slope. To limit the length of this analysis, the occurrences of these themes will not be detailed, but taken together, they provide significant threads of ethical language for careful readers. (Ethical questions also appear, but they are not a prominent feature of the language in this lengthy piece.)

Discussion

Viewed in the light of deontological and consequentialist ethics and read for their use of ethical questions and themes, the three journalistic pieces assessed in this paper all address ethics in a nuanced way while using different journalistic approaches to do so.

Mary Rourke's analysis in the *Los Angeles Times* addresses deontological issues related to all four of the specific duties included in this study's analytical framework -- autonomy, justice, faithfulness to commitments, and sensitivity to human needs. It distinguishes carefully between ethical concerns that grow out of philosophical medical ethics, where autonomy is a

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major concern, and religion-based ethics, where the presupposition that God is ultimately the owner of one's body refocuses the discussion toward duty to value life and not destroy it (a duty related to justice but cast in different terms). Rourke's presentation is strengthened by the fact that the analytical format of her piece enables her to frame ethical issues concisely for readers without constant attribution to other sources. Peter Steinfels' *New York Times* piece addresses all of the duties in this study's framework except autonomy. Like Rourke, he is able to frame issues for readers concisely and directly because, as a columnist, he is not constrained by news story conventions of attribution. Mary McGrath's presentation of a four-person discussion in the *Omaha World-Herald* deals with faithfulness, autonomy, and justice in some depth and the human needs issue in great depth. Although the long, open-discussion format of her presentation costs the reader something in conciseness and clarity, it enables detailed portrayal of these issues from the vantage points of four people with experiential or formal knowledge of the subject.

Rourke's piece, while not dealing in detail with consequentialist issues, touches on matters of both benefit, such as the idea that Kevorkian has forced attention to important health care problems, and harm, such as the slippery-slope concern about the social impact of his killing of Thomas Youk. Steinfels' column deals more extensively but still not comprehensively with consequentialist issues. It offers an important criticism of one prominent journalist, Mike Wallace, by noting that he did almost nothing to ask Kevorkian about the social consequences of his actions. McGrath's conversation, because of its length, is able to deal in some detail with both benefit and harm issues -- though it still does not do so exhaustively. One significant issue of potential harm that emerges in the conversation is the potential impact of institutionalized assisted suicide on health professionals' understanding of their roles (supporting life versus

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supporting death) and on the trust of the public in the health care system. This concern is significant to both individuals and professionals.

Rourke makes strong use of ethical questions, in the opening sentence and early in the story, to frame for readers the issue of a moral distinction between assisted suicide and euthanasia, then to directly confront them with the difference between the perspectives of philosophical and religious ethics.[49] Steinfels makes less prominent use than Rourke of ethical questions, at least from the standpoint of the ethics of assisted suicide and euthanasia, but he does raise the important matter of how much viewers were actually able to learn about Youk's situation from the Kevorkian video. Questions also surface in McGrath's discussion and bring ethical content to readers, but they are not central to assessment of this piece because they are not prominent in relation to the whole discussion and do not reflect a journalist's choice of framing.

In addition to appearing as questions, portrayals of ethics appear as themes in all three pieces through recurring or prominent words, phrases, or sentences. The theme of suffering or relief from suffering -- central both to the concerns of assisted-suicide advocates and to the arguments of opponents for better pain management -- surfaces in all three. The theme of patient choice -- tied to the deontological issue of autonomy -- is evident in both the Rourke and McGrath pieces. One other theme, the right (or lack of a right) to destroy life, appears in Rourke's story. Five others are evident in McGrath's discussion: respect for life, fear, quality of life, abandonment, and the slippery slope. Her long-form presentation allowed more themes to emerge than in the other two articles.

As noted in the method section, although the analysis focused on the presentation of deontological and consequentialist ethics and of ethical questions and themes, some prominent references related to the issue of levels of analysis[50] -- also part of the Craig framework -- were

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also noted. Steinfels contributes significantly (at least potentially) to reader understanding by raising the importance of examining ethical impact at the social level, not just the "heart-wrenching" individual level. McGrath's use of health and ethics professionals in the discussion also enables concerns to surface touching on ethics at the level of the profession -- an important contribution in getting readers to think beyond the level of individual situations.

The focus of this analysis on issues of duty and consequence and on ethical questions and themes is drawn from the theoretical framework that Craig developed for assessing ethics coverage.[51] Although this framework addresses the presence or absence of relevant parties, multiple levels of analysis (individual, organizational/institutional, professional, and social), and legal and regulatory background, the portrayal of ethical issues, questions, and themes itself is the most important of the four criteria for judging ethics coverage. Under the framework, little or no attention to this criterion would be morally impermissible, some attention morally obligatory, and comprehensive attention supererogatory. In their portrayal of specific categories of duty and consequence issues, these three pieces have strong and weak points. Similarly, use of questions is not equally strong in all three, and themes are not equally well developed. However, when the portrayal of these elements is considered as a whole for each piece, they each at least meet the moral obligation because they provide significant attention to ethics.

The textual analysis of these stories developed out of the Craig framework also suggests other evaluative criteria for ethics coverage that are not directly addressed in that framework but emerged in the analysis.[52] Although it might be pushing the bounds of reasonable expectations to place these under the heading of moral obligation for journalists, these could be used more systematically in conjunction with the framework in future assessments of ethics coverage -- whether additional qualitative textual analyses or quantitative content analyses.

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•The article highlights the importance of nuances of moral meaning in ethics. Careful distinctions are central to discussions in ethics, so stories that show readers that nuances matter will leave them with a more accurate understanding of how moral reasoning proceeds.

•The article explains obscure ethical language. Clear definitions of terms, such as Rourke's defining of medical ethics and specific terms related to euthanasia, may also contribute to reader understanding.

•The article directly refers to ethics. As this analysis shows, portrayal of ethics is by no means limited to the use of ethics and related terms. However, such references at least spell out for readers the fact that a topic raises ethical concerns.[53]

•The article directly refers to religion-based ethics as well as philosophical ethics. Although both perspectives are represented in the four duties in the analytical framework, the framework does not call for articles to explicitly distinguish some duties as religion-based and others as philosophically grounded. But as Rourke's piece demonstrates, this kind of explicit framing can clarify for readers the sources of different ethical duties. As noted in the findings, portrayal of issues from both vantage points is significant in light of the importance of faith in many readers' lives and its influence in end-of-life issues. In addition, theologically grounded ethics has been a part of contemporary scholarship in medical ethics, more generally,[54] as well as in media ethics.[55]

•The article presents the topic through a long-format conversation. Published conversations with people knowledgeable, professionally or personally, about an ethical topic can help provide readers material to think in depth about the ethical dimension.

•The article presents the topic in an analytical/opinion format. Rourke's and Steinfels' portrayal of ethical issues would have been less hard-hitting had they been unable because of

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journalistic convention to frame their presentation of specific ethical issues without attribution and had they been similarly unable to pose questions that bring issues directly to readers.

Embedded in these criteria is the idea that coverage should advance reader understanding. This concern is consistent with the goals of civic or public journalism, in which newspapers and broadcast stations have sought in recent years to foster public understanding and discussion of issues, sometimes through in-depth stories and sometimes through conversations such as the Omaha paper's with parties from outside the news organization.[56] The goal of advancing reader understanding is also consistent with Andre, Fleck, and Tomlinson's call for bioethicists to foster better public discourse on issues in science and health care.[57] In fact, their article mentions civic journalism and its consistency with "rational democratic deliberation."[58]

Fostering understanding of ethical issues is significant for a public facing a world of complex ethical problems in the realm of medicine and science and beyond. Greater insight into whether and how reader understanding actually *is* advanced by these three "model" types of ethics coverage -- an analytical article, a column, and an edited conversation -- awaits research about how readers actually think about such pieces and what they learn. These studies could be conducted using experiments, focus group interviews or in-depth individual interviews.[59] In addition, interviews with reporters who have done model ethics stories -- these or stories on other topics that touch on ethics -- could be conducted to find out how reporters are actually thinking about ethics when they develop stories. Such interviews could focus on why the reporters took the approaches they did and how they arrived at the ethical insights they presented.[60]

In addition to suggesting avenues for further research, this study points to ideas for improving journalistic coverage of news with a strong ethical dimension, in particular bioethics news. Although this study has focused on three articles out of many written in recent years on

assisted suicide and euthanasia -- and even more on bioethics topics in general -- this analysis suggests that analyses and columns, which allow writers leeway to use their interpretation and opinion, can help to shed light on ethical issues in the news. A journalist doing thorough ethics coverage becomes an informed observer of the ethical issues at hand and becomes for the reader, in level of understanding, a kind of bridge between layperson and expert. He or she is able to process the ethical views of both non-professionals and professionals and draw informed conclusions shaped by both. It may be in the best interest of the reader, then, for an article to make explicit the judgments and perspectives of the journalist in addition to the views of others.[61]

In addition, published conversations with people knowledgeable, professionally or personally, about an ethical topic can help provide readers material to think in depth about the ethical dimension.[62] Running a 3,500-word piece in Omaha took a commitment on the part of editors that is to be commended. This approach needs to be pursued carefully because all potential participants would not be equally insightful about ethics. The conversation in Omaha worked in part because people with medical, ethical, and experiential backgrounds related to assisted suicide and euthanasia were brought together -- thereby laying the groundwork for better public understanding of an important ethical topic.

NOTES

[1] The Supreme Court overturned appellate court rulings in Vacco v. Quill, 521 U.S. 793 (1997), and Washington v. Glucksberg, 521 U.S. 702 (1997), establishing through the second case that there is no fundamental right to assisted suicide.

[2] The distinction used here is that in physician-assisted suicide, a doctor provides the means with which a person can take his or her life; in euthanasia, the doctor takes the life.

[3] David A. Craig, "A Framework for Evaluating Coverage of Ethics in Professions and Society," *Journal of Mass Media Ethics* 14 (1999): 16-27. The framework was originally developed in David A. Craig, "Covering the Ethics Angle: Toward a Method to Evaluate and Improve How Journalists Portray the Ethical Dimension of Professions and Society" (Ph.D. diss., University of Missouri-Columbia, 1997).

[4] Fred S. Siebert, Theodore Peterson, and Wilbur Schramm, *Four Theories of the Press* (Urbana, Ill.: University of Illinois Press, 1956).

[5] Clifford G. Christians, John P. Ferre, and P. Mark Fackler, *Good News: Social Ethics and the Press* (New York: Oxford University Press, 1993).

[6] Craig, "A Framework for Evaluating Coverage of Ethics," 16.

[7] Ibid., 20.

[8] Commission on Freedom of the Press, *A Free and Responsible Press* (Chicago: University of Chicago Press, 1947); Siebert, Peterson, and Schramm, *Four Theories of the Press*; Wilbur Lang Schramm, *Responsibility in Mass Communication* (New York: Harper, 1957); William L. Rivers and Wilbur Schramm, *Responsibility in Mass Communication*, rev. ed. (New York: Harper & Row, 1969); William L. Rivers, Wilbur Schramm, and Clifford G. Christians, *Responsibility in Mass Communication*, 3d ed. (New York: Harper & Row, 1980).

[9] Clifford G. Christians, John P. Ferre, and P. Mark Fackler, *Good News: Social Ethics and the Press* (New York: Oxford University Press, 1993).

[10] Craig, "A Framework for Evaluating Coverage of Ethics," 20.

[11] Areas with important ethical implications include medicine-related issues such as abortion and genetic testing; business issues such as corporate downsizing; and government-related issues such as the ethics of public officials. See Craig, "A Framework for Evaluating Coverage of Ethics."

[12] Robert K. Kalwinsky, "Framing Life and Death: Physician-Assisted Suicide and *The New York Times* from 1991 to 1996," *Journal of Communication Inquiry* 22, no. 1 (January 1998): 93-112. Kalwinsky also addressed this coverage in a previous paper, "Analysis of Physician Assisted Suicide in the New York Times from 1991-1996" (paper presented at the annual meeting of the Association for Education in Journalism and Mass Communication, Chicago, Ill., August 1997).

[13] Wesley J. Smith, "There's No Such Thing As a Simple Suicide," *Human Life Review* 20, no. 1 (winter 1994): 37-51. He discussed an article by the same name by Lisa Belkin in *New York Times Magazine*, 14 November 1993.

[14] Judith Andre, Leonard Fleck, and Tom Tomlinson, "Improving Our Aim," *Journal of Medicine and Philosophy* 24, no. 2 (April 1999): 141. This issue of the journal was devoted to articles on "Bioethics and the Press."

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[15] Margaret A. Somerville, "Euthanasia in the Media: Journalists' Values, Media Ethics and 'Public Square' Messages," *Humane Health Care International* 13, no. 1 (spring 1997): 17-20.

[16] John C. Pollock et al., "Comparing City Characteristics and Newspaper Coverage of Dr. Jack Kevorkian," *Newspaper Research Journal* 17, no. 3-4 (summer/fall 1996): 120-33. An AEJMC paper used two items of news coverage in an experiment to study media influence on attitudes toward euthanasia. Kimberly A. Lauffer and Sarah Bembry, "Investigating Media Influence on Attitudes Toward People with Disabilities and Euthanasia" (paper presented at the annual meeting of the Association for Education in Journalism and Mass Communication, New Orleans, Louisiana, 1999).

[17] David A. Craig, "Ethical Language and Themes in News Coverage of Genetic Testing," forthcoming, *Journalism & Mass Communication Quarterly* 77 (spring 2000); David A. Craig, "A Critical Assessment of News Coverage of the Ethical Implications of Genetic Testing" (paper presented at the annual meeting of the Association for Education in Journalism and Mass Communication, Baltimore, Maryland, 1998).

[18] Maggie Jones Patterson and Megan Williams Hall, "Abortion, Moral Maturity and Civic Journalism," *Critical Studies in Mass Communication* 15 (June 1998): 91-115.

[19] Carol Gilligan, *In a Different Voice: Psychological Theory and Women's Development* (Cambridge, MA: Harvard University Press, 1982). Patterson and Hall concluded that "the feminine means of moral reasoning" (Patterson and Hall, "Abortion, Moral Maturity and Civic Journalism," 92) has gradually emerged to prominence in discussion of abortion.

[20] Patrick D. Hopkins, "Bad Copies: How Popular Media Represent Cloning As an Ethical Problem," *Hastings Center Report*, March-April 1998, 6-13. See also Albert Rosenfeld, "The Journalist's Role in Bioethics," *Journal of Medicine and Philosophy* 24, no. 2 (April 1999): 108-29; Tom Wilkie and Elizabeth Graham, "Power Without Responsibility: Media Portrayals of Dolly and Science," *Cambridge Quarterly of Healthcare Ethics* 7, no. 2 (spring 1998): 150-59; and a brief commentary by Leigh Turner, "The Media and the Ethics of Cloning," *Chronicle of Higher Education*, 26 September 1997, B4-B5.

[21] Stephen Klaidman and Tom L. Beauchamp, *The Virtuous Journalist* (New York: Oxford University Press, 1987).

[22] Ruth Chadwick and Mairi Levitt, "Mass Media and Public Discussion in Bioethics," in *The Right to Know and the Right not to Know*, ed. Ruth Chadwick, Mairi Levitt, and Darren Shickle (Aldershot, England: Ashgate, 1997), 84. Henk ten Have, "Living With the Future: Genetic Information and Human Existence," in *The Right to Know*, 87-95, is also relevant to ethics coverage in genetics.

[23] William R. Oates, "Social and Ethical Content in Science Coverage by Newsmagazines," *Journalism Quarterly* 50 (winter 1973): 680-84.

[24] Stephen Klaidman and Tom L. Beauchamp, "Baby Jane Doe in the Media," *Journal of Health Politics, Policy and Law* 11 (summer 1986): 271-84. In addition, Kathleen Kerr, the lead reporter for Pulitzer Prize-winning coverage by *Newsday*, discussed how the coverage developed in "Reporting the Case of Baby Jane Doe," *Hastings Center Report* , August 1984, 7-9.

[25] Michael Mulkay, "Embryos in the News," *Public Understanding of Science* 3 (January 1994): 33-51.

[26] Dorothy Nelkin, *Selling Science: How the Press Covers Science and Technology*, rev. ed. (NY: W.H. Freeman, 1995), 35-37. See also Michael Altimore, "The Social Construction of a Scientific Controversy: Comments on Press Coverage of the Recombinant DNA Debate," *Science, Technology, & Human Values* 7, no. 41 (fall 1982): 24-31; Rae Goodell, "The Gene Craze," *Columbia Journalism Review*, November-December 1980, 41-45; Bruce V. Lewenstein, Tracy Allaman, and Shobita Parthasarathy, "Historical Survey of Media Coverage of Biotechnology in the United States, 1970 to 1996" (paper presented at the annual meeting of the AEJMC, Baltimore,

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MD, 1998); Susanna Hornig Priest and Jeffery Talbert, "Mass Media and the Ultimate Technological Fix: Newspaper Coverage of Biotechnology," *Southwestern Mass Communication Journal* 10, no. 1 (1994): 76-85.

[27]David Miller, "Introducing the 'Gay Gene': Media and Scientific Representations," *Public Understanding of Science* 4 (July 1995): 269-84.

[28] See, for example, *Risky Business: Communicating Issues of Science, Risk, and Public Policy*, ed. Lee Wilkins and Philip Patterson, with a foreword by Dorothy Nelkin (NY: Greenwood Press, 1991) and Lee Wilkins, "Between Facts and Values: Print Media Coverage of the Greenhouse Effect, 1987-1990," *Public Understanding of Science* 2 (January 1993): 71-84. Jim Willis with Albert Adelowo Okunade, in *Reporting on Risks: The Practice and Ethics of Health and Safety Communication* (Westport, Connecticut: Praeger, 1997), frames the discussion in terms of journalistic ethics but touches on coverage of ethics.

[29] An earlier paper did present a preliminary analysis of the state of ethics coverage. See Debra L. Mason, "Covering Ethics: Evidence of Its Emergence as a Beat and an Argument for Its Inclusion as News" (paper presented at the annual meeting of the Association for Education in Journalism and Mass Communication, Kansas City, Missouri, August 1993).

[30] Craig, "A Framework for Evaluating Coverage of Ethics," 19. The framework itself is shown here for the sake of clarity:

MORALLY IMPERMISSIBLE

•Attention to only one level of analysis (e.g., individual only, not organizational/institutional, professional, or social)

•Attention to a narrow range of relevant parties (e.g., only one source for a story that involves numerous parties; or, in a story involving professions and public, exclusively professionals or non-professionals)

•No attention to relevant legal or regulatory issues

•Little or no attention to the ethical dimension -- to issues of duty or consequences, or other relevant ethical questions or themes

MORALLY OBLIGATORY

•Attention to more than one level of analysis

•Attention to several relevant parties

•Some attention to relevant legal and regulatory issues

•Some attention to the ethical dimension -- to issues of duty or consequences, or other relevant ethical questions or themes

SUPEREROGATÓRY

•Attention to three or four levels of analysis

•Attention to a broad spectrum of relevant parties

•Significant attention to the relevant legal and regulatory issues

•Comprehensive attention to the ethical dimension -- significant attention to issues of duty or consequences, or other relevant ethical questions or themes

("Some," "little," and "comprehensive" will be defined by story with recognition of the limitations imposed by space and time constraints and other factors.)

[31] Ibid., 17.

[32] C.E. Harris, Jr., *Applying Moral Theories*, 2d ed. (Belmont, Calif.: Wadsworth, 1992), 58-59. A fourth category, "morally permissible," is not employed in the framework. Craig, "A Framework for Evaluating Coverage of Ethics," 25-26.

[33] Craig, "A Framework for Evaluating Coverage of Ethics," 19-20.

[34] Kalwinsky, "Framing Life and Death," 95.

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[35] Mary Rourke. "Kevorkian's Latest Act Raises New Concerns." *Los Angeles Times*. 25 November 1998. Part E. p. 1 (Home Ed.).

[36] Peter Steinfels. "Beliefs." *New York Times*. 28 November 1998. Sec. B. p. 7 (Late Ed.-Final).

[37] Mary McGrath. "Life or Death Issues," *Omaha World-Herald*. 1 December 1998. Living. p. 33 (Sunrise Ed.). Even though the Omaha paper does not have a national reputation on a par with the *Los Angeles Times* or *New York Times*, it is still a metropolitan newspaper with wide readership in its state.

[38] Craig. "A Framework for Evaluating Coverage of Ethics."

[39] Ibid., 24. Six questions to guide future analyses were developed from the four criteria used in the framework -- levels of analysis, relevant parties, law and regulation, and ethical issues and themes. The analysis focused on the two questions related to ethical issues and themes because they are most central in evaluating ethics coverage and because nuanced analysis of these two questions alone was a substantial analytical task.

[40] Ibid., 22. Deontological ethics, expressed in its purest form by Kant, bases ethical decision-making on principles of duty. Consequentialist ethics, embodied in the utilitarianism of Mill, bases ethical decision-making on consideration of positive and negative results.

[41] Working definitions of terms used to flag ethical content were as follows:

•Ethics: ethics, morals and cognate terms stated directly; and matters of benefit or harm, or of moral duty or choice, stated or implied.

•Duties: Words, phrases or sentences that make general reference to duty or obligation, or right or wrong, or state or imply specific duties not among the four listed.

•Faithfulness to commitments: Words, phrases or sentences that state or imply an obligation, responsibility or commitment to act in an ongoing, even long-term, way in the interest of another person or group of persons. This definition represents a synthesis of the perspectives of Paul Ramsey, *Basic Christian Ethics* (NY: Charles Scribner's Sons, 1950); Paul Ramsey, *The Patient as Person: Explorations in Medical Ethics* (New Haven, CT: Yale University Press, 1970); and William F. May, *The Patient's Ordeal* (Bloomington, IN: Indiana University Press, 1991).

•Sensitivity to human needs: Words, phrases or sentences that state or imply concrete needs of individuals or groups of individuals, or the planned or actual meeting of those needs, or failure to meet those needs. This, too, is grounded in the work of Ramsey and May.

•Sensitivity to autonomy of parties: Words, phrases or sentences that state or imply respect for the free choice or action of a person or group of persons -- or lack of respect for, or interference with, free choice or action by others or through personal limitations, such as inadequate understanding. This is based on the definition of autonomy in Tom L. Beauchamp and James F. Childress, *Principles of Biomedical Ethics*, 4th ed. (New York: Oxford University Press, 1994), 121.

•Sensitivity to justice: Words, phrases or sentences that state or imply fair, equitable and appropriate treatment of individuals or groups of people in light of what is due or owed to them or to others, or respect for this kind of treatment -- or the lack of fair, equitable and appropriate treatment of individuals or groups of people in light of what is due or owed to them or to others, or respect for this kind of treatment. This is based on Beauchamp and Childress's definition of justice in *Principles of Biomedical Ethics*, 327.

•Consequences: Words, phrases or sentences that make general reference to results, or state or imply specific actual or potential results of a decision, policy or action that are not clearly tied to benefits or harms.

•Benefits: Words, phrases or sentences that state or imply actual or potential positive results of a decision, policy or action -- results that would promote real or perceived physical, emotional, mental or spiritual well-being; accomplish real or perceived social or ethical good; or avoid or reduce real or perceived harm.

•Harms: Words, phrases or sentences that state or imply real or potential negative results of a decision, policy or action -- results that would cause physical injury or suffering; real or perceived emotional, mental or spiritual duress; or real or perceived social or ethical problems.

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[42] Operationally, an ethical question was considered to be a sentence phrased explicitly or implicitly as a question (ends with "?" or follows the word "question" in statement form) that raises a matter of benefit or harm, or of moral duty or choice, stated or implied. A sentence that simply states that assisted suicide raises ethical questions but does not state or imply any of those questions was not coded as an ethical question.

[43] Craig, "A Framework for Evaluating Coverage of Ethics," 23.

[44] Operationally, an ethical theme was considered to be a word, phrase or sentence that recurs in a story -- verbatim or as a word, phrase or sentence of related meaning -- or appears prominently (somewhere in the first several paragraphs). It states or implies a matter of benefit or harm, or of moral duty or choice. That is, the theme may have a consequentialist or deontological cast, or both, or raise an issue of moral reasoning that does not fit neatly into these theoretical frameworks, separately or together.

[45] Individual, organizational/institutional, professional, and social levels.

[46] No inference was made that the presence of specific kinds of ethics content -- for example, references that implied justice -- meant that the reporters or editors were consciously thinking in formal ethical terms and deciding, on that basis, to present that content in the story. The study was aimed simply at finding content that, read in light of ethical theory, does address ethics.

[47] John Kultgen, in *Ethics and Professionalism* (Philadelphia: University of Pennsylvania Press, 1989), makes a similar point in the context of professional ethics: "The analysis of professional ethics, as a set of principles for individual acts, must be worked out in correlation with a social philosophy, with both descriptive and normative elements, for professions as institutions" (p. 7). Craig, "A Framework for Evaluating Coverage of Ethics," used Kultgen's argument to make a case for the need for journalists to cover ethics at the social level.

[48] Craig, "A Framework for Evaluating Coverage of Ethics," also addressed the importance of exploring ethics coverage at the professional level.

[49] The use of questions that confront the audience with ethical matters is also discussed in Craig, "Ethical Language and Themes in News Coverage of Genetic Testing."

[50] Individual, organizational/institutional, professional, and social levels.

[51] Craig, "A Framework for Evaluating Coverage of Ethics," 19.

[52] The author thanks an anonymous reviewer of this paper for encouraging him to think about other evaluative criteria.

[53] The use of direct references to ethics is also discussed in Craig, "Ethical Language and Themes in News Coverage of Genetic Testing."

[54] See, for example, Ramsey, *The Patient as Person: Explorations in Medical Ethics* , and May, *The Patient's Ordeal*. Andre, Fleck, and Tomlinson, in "Improving Our Aim," 134, argue for a legitimate role of religiously grounded arguments "even in a pluralistic society."

[55] See Clifford G. Christians et al., *Media Ethics: Cases and Moral Reasoning*, 5th ed. (New York: Longman, 1998), 11-19, and Edmund B. Lambeth, *Committed Journalism: An Ethic for the Profession*, 2d ed. (Bloomington, Ind.: Indiana University Press, 1992), 23.

[56] Publications that explore the thinking and doing of civic/public journalism include Jay Rosen and Davis Merritt, Jr., *Public Journalism: Theory and Practice* (Dayton, OH: Kettering Foundation, 1994); Arthur Charity, *Doing Public Journalism* (NY: Guilford, 1995); Jay Black, ed., *Mixed News: The Public/Civic/Communitarian Journalism Debate*, (Mahwah, NJ: Lawrence Erlbaum Associates, 1997); Davis Merritt, *Public Journalism and*

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Public Life: Why Telling the News Is Not Enough, 2d ed. (Mahwah, NJ: Lawrence Erlbaum Associates, 1998); Edmund B. Lambeth, Philip E. Meyer, and Esther Thorson, eds., *Assessing Public Journalism* (Columbia, MO: University of Missouri Press, 1998); Theodore L. Glasser, ed., *The Idea of Public Journalism* (NY: Guilford, 1999); and Jay Rosen, *What Are Journalists For?* (New Haven, CT: Yale University Press, 1999).

[57] Andre, Fleck, and Tomlinson, "Improving Our Aim," 131-135. They argue for social inquiry that engages "the whole community, not just some elite segment" (133), drawing on the arguments of John Dewey.

[58] Ibid., 143-44. In addition, Somerville, at the end of "Euthanasia in the Media," argues that the media must be aware of their "obligations to help us, both as individuals and a society, to reach a wise choice concerning whether to continue to prohibit euthanasia or to allow it" (20).

[59] Research on audience response is also suggested in Craig, "Covering the Ethics Angle," 309-10. In addition, Andre, Fleck, and Tomlinson voice support for "empirical research into what actually moves an audience toward the respectful mutual engagement that constitutes rational democratic deliberation" ("Improving Our Aim," 144).

[60] Similar interviews with selected journalists on coverage of human embryo research and genetic testing are discussed in Craig, "Covering the Ethics Angle," 111-90.

[61] This argument is made more fully in Craig, "Covering the Ethics Angle," 315-17.

[62] More extensive recommendations for ethics coverage are made in Craig, "Covering the Ethics Angle," 288-92. In addition, Kenneth W. Goodman, in "Philosophy as News: Bioethics, Journalism and Public Policy," *Journal of Medicine and Philosophy* 24, no. 2 (April 1999): 181-200, calls for "para-ethics," a kind of reporting that reflects the concerns of ethics scholarship without oversimplification.

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Media Ethics

Philosophy in the Trenches:

How Newspaper Editors Approach Ethical Questions

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Abstract

This study sought to identify the various philosophical principles brought to bear on ethical dilemmas by working journalists. A nationwide survey of newspaper managing editors and news editors solicited actual ethical dilemmas and examined how respondents assessed statements that corresponded to identifiable philosophical approaches. The study suggested that journalists tend to favor specific philosophical approaches when they are confronted with certain types of ethical questions, affirming calls by some media ethicists for a "pluralistic" approach in newsrooms. However, editors also placed high value on competing or conflicting philosophical principles regardless of the nature of the ethical questions they faced, reflecting the continuing debate in the field.

Philosophy in the Trenches:
How Newspaper Editors Approach Ethical Questions

In her foreword for a book on media ethics, columnist Georgie Anne Geyer laments that most journalists today not only strut about with self-righteousness and grandiosity but also "refuse to be guided by – much less involve [them]selves in – any serious moral or ethical discussion of …actions" (Christians, Rotzoll & Fackler, 1991, p. x). But the bookshelves across the country that are sagging beneath the weight of works on media ethics – many written by Geyer's professional colleagues – contradict this claim. Indeed, it can be argued that ethics has become something of a preoccupation among journalists confronted with newsroom codes of ethics and polling data detailing a deepening slump in their credibility with the public. As Merrill says, "Across the country, people are talking about the use of anonymous sources, inaccurate quotes, unbalanced stories, shocking and even gruesome photographs, gossip masquerading as news, political bias in the news, and a large number of other questionable practices" (1997, p. 22).

This concern is reflected in the large body of research in the field of media ethics. The vast majority of it, however, constitutes either efforts to examine how journalists resolve hypothetical scenarios or polemical attempts to establish the most effective framework for ethical thinking on the job. Much ethics research has attempted to use journalistic codes of ethics as a measurement of ethical behavior (Elliott-Boyle, 1985; Skaggs, 1985; Anderson, 1987; Wulfemeyer, 1990; Boeyink, 1992). Others have used illuminating but limited case studies to discern

day-to-day moral reasoning (Borden, 1996; Boeyink, 1998; Bunton, 1998; Winship, 1998; Black, Steele & Barney, 1999). One study explored perceived ethical breakdowns among specific groups of journalists (Hays & Reisner, 1990).

Few attempts have been made, however, to move beyond the realm of case studies and generic what-ifs and assess how ethical reasoning in the newsroom is applied in daily decision-making on a broad scale. Research has made it clear that there is no one way of pursuing "the state of being professionally ethical" (White & Pearce, 1991, p. 457). Indeed, media ethicists continue to promote competing frameworks with which to establish a more complete, responsive and responsible journalistic moral order. But few have sought to identify which predominant systems of morality journalists rely upon when facing ethical decisions. What philosophical leanings are brought to bear by journalists who must weigh how to handle a controversial story in an ethical way? What types of stories incline them to use libertarian rationales to respond to ethical concerns, and when are they more likely to use a more communitarian approach to justify their actions? Under what circumstances are they more likely to look to the Aristotelian golden mean for guidance on appropriate handling of a story instead of to Rawlsian notions of social justice?

Media ethicists (Klaidman & Beauchamp, 1987; Merrill, 1990; Christians, Ferré & Fackler, 1993) generally stress eight broad, normative philosophical approaches that can offer moral frameworks for newsroom decisions:

- Utilitarian: Actions are morally sound only when they provide the greatest happiness for the greatest number of people.

- Social Justice: Individuals accept social obligation and responsibility only through active consent or contracts to ensure social justice.
- Golden Rule: Treatment of others should be governed by how an agent would wish to be treated.
- Libertarian: Moral sensibilities of right and wrong rest solely with the individual and cannot be imposed through social or cultural values.
- Communitarian: Community welfare outweighs principle of personal freedom to ensure social justice.
- Aristotelian: Virtue is defined by the concept of moderation in all aspects of life.
- Judeo-Christian Theism: Everyone is made in the image of God and therefore has equal value.
- Kantian: Individual acts are good only if they could be applied as maxims to govern the behavior of everyone.

This study used a survey to examine relationships among types of ethical questions raised by stories or photos and the various philosophical approaches that newspaper editors have used to address them. Rather than pose a generic problem and ask for responses, the survey asked newspaper editors to briefly sketch a situation that raised ethical questions for them. They were then asked to gauge the relevance of a series of statements that corresponded to particular philosophical approaches to the situation they described.

Theory

There is little question over whether ethical frameworks are used in journalistic decision-making. The most substantive discussions revolve around the factors that influence that process (Voakes, 1997), the philosophical underpinnings of a democratic free press (Kidder, 1995; Merrill, 1997; Christians & Traber, 1997) or how to extract a normative ethics from the various philosophical strains (Klaidman & Beauchamp, 1987; Merrill, 1990; Christians, Ferré & Fackler, 1993). Others have sought to quantify the ethical behavior of journalists (Black, Barney & Van Tubergen, 1979) or explore the journalistic applications of particular philosophical approaches (Baker, 1997; Cunningham, 1999).

Singletary, Caudill, Caudill and White (1990) and White and Pearce (1991) proposed and tested an "ethical motivations scale," which proved effective in discerning to what extent individuals used ethical thought in their professional decision-making. Other research attempts have reduced ethical decision-making to comparatively simplistic either/or principles that rely upon written guidelines (ASNE, 1986). Few attempts, however, have been made to field-test competing theories of media ethics – to examine how the ongoing debates among media ethicists regarding disparate philosophical approaches might be reflected in actual newsroom decisions. Such attempts inevitably will be needed both to validate any broader media ethics systems and help shape a future of vigorous but responsible journalism. Research in this direction also eventually may help efforts to restore the trust of an American public that sees "only inconsistency in

media practices" and no "shared sense of responsibility among journalists" (Merrill, 1997, p. 3).

The divergent journalistic practices that Merrill refers to, however, indicate a wide range of legitimate philosophical approaches more than they suggest an ethical vacuum. The debate over the formulation of media ethics continues to trade heavily on the ideas of the ancient Greeks, 18th- and 19th-century German thinkers and others in attempts to realize a balance between Aristotelian virtue and Enlightenment libertarianism. But scholars and practitioners at each end of the philosophical spectrum have yet to reconcile with one another. On one side, Merrill and other contractualists insist that social justice is attained only in a rights-based system, and that the history of authoritarianism has proven the need to place a premium on individual autonomy. It is only this autonomy that can shape a free press able to best serve democracy: the majority of journalism textbooks focus on moral guidelines for personal behavior as journalists (Christians et al., 1993, p. 39). At the other end of the spectrum are those who insist that to be human is to be a creature of community, and communitarian ideals ensure individual well-being. A free press that ignores its obligations of social responsibility is a dangerous, destructive press (Christians et al., 1993).

Merrill calls for an ethics firmly rooted in the individualistic approach. "Freedom is the very source of personhood; it is the wellspring of ethics; it is the foundation that supports the related concepts of rationality, commitment, integrity and responsibility" (1990, p. 203). The journalist, he says, even must be something of a Nietzschean Superman: "a law unto himself, a center of virtue"

(p. 205). He disagrees with Christians and others who argue such autonomy must inevitably depend upon an ethics of social responsibility. "The current emphasis on 'social responsibility' in journalism may well be nothing more than a subterfuge under which elite groups or persons go about trying to make the press system over in their own image" (p. 206). Social responsibility is a sham concept if it does not at bottom mean *personal* responsibility in his view.

Christians and others struggle to articulate a new, postmodern synthesis to balance the legitimate claims of individualistic thought and communitarian ideals that transcends the predominant ideal of negative freedom, or freedom from a system of constraints. But whereas Merrill insists that a libertarian autonomy must be the starting point for any development of a media ethics, Christians argues such historical insistence on the liberated journalist – stemming from the proud individualism of Anglo-American culture – is precisely what has left the body of media ethics emasculated. "The impotence and deficiencies of individual autonomy have become obvious....The result is a largely quiescent ethics, echoing the conventions in place rather than resisting or contradicting them" (Christians et al., 1993, p. 41). For philosophical evidence, the authors point to scholars such as Tinder, Schumpeter and especially Scanlon, who conclude that while individual autonomy is appealing, it is a "vague and slippery notion" (Scanlon, 1979, p. 533). Indeed, the writings of these and others represent a solid body of scholarship that directly challenges free-press assumptions on philosophical grounds precisely because of its social destructiveness (Tinder, 1979). Theories such as Merrill's that focus on legitimizing negative freedom, Christians says, do not "give a satisfactory place

to considerations of distributive justice, for example, at least in the theoretical sphere" (Christians et al., 1993, p. 44). The authors argue for a new paradigm. Theirs is a social responsibility with individual courage, a third theory of "communitarian democracy" relying on a sense of organic dynamism taken from Hegel: "A communitarian ethics of the news media that avoids the errors of individualism and collectivism" and that "places positive responsibilities on reporters and editors" (Christians et al., 1993, p. xi). They propose a model with four elements: the "dialogic self," community commitment, civic transformation and mutuality in organizational culture (Christians et al., 1993, p. 13). "A different approach to the media-society relationship is critically needed for grounding a legitimate media ethics, one that wrests individual autonomy out of the core and constrains it along the margins" (Christians et al., 1993, p. 13).

Some have attempted to reconcile these two approaches, all with limited success. Even Merrill proposes what he calls an "ethical mutualism," which closely mirrors Aristotle's golden mean and is possible through a full awareness of the extremist consequences of both individualistic and communitarian approaches (1997, p. 214). Lambeth proposes a third attempt at reconciling the profession with a system of five principles offered to encourage journalistic reform. Taken as a whole, the principles rely on personal responsibility and autonomy, and a "principle of stewardship" replaces that of social responsibility (Lambeth, 1992, p. 32). Kidder proposes an ethical "checklist" intended to meld various approaches into a usable formula that can be applied to ethical decision-making, and he suggests considering the various approaches as three broad cateogries: "ends-based," "rule-based" and "care-based" thinking (p. 24-25). But

he too eventually reaches a fork in the road and is forced to choose between the broad approaches. To his credit, Kidder makes his choices explicit, but adds a disclaimer that suggests all such choices are liable to fall into the pit of cultural relativism (p. 220). Voakes says the common denominator for all approaches is the concept of values, but the trick is to identify which ethical approach those values represent. As Voakes observes, values alone do not determine morality; they simply describe one's moral orientation (1997, p. 20). Still others grasp for more fanciful approaches such as a postmodern ethics grounded in vague notions of "Spirit" (Pym, 1997).

Given the jumble of competing theoretical frameworks in the world of media ethics, it is not unreasonable to expect to see contradictory approaches used on the front lines of journalism. As Harwood says, "all but the mentally infirm are aware that we have no common standards in the news business" (1991, p. 3); this means that ethical norms held by individual journalists are constantly evolving and frequently competing with each other (Pasquali, p. 28). Journalists, then, are constantly making case-by-case decisions that inevitably draw from differing philosophies, as Klaidman and Beauchamp note:

> Journalists need not be moral philosophers, of course, but they should be aware that competing values may have moral weight equal to or greater than press freedom. Of course, which values should be put in the balance and how much weight they should be given will often be controversial, and a consensus may not emerge (p. 10).

While such behavior often has drawn the criticism that journalists use a situational ethics of convenience, Christians, Ferré and Fackler describe this phenomenon as a "pluralistic ethics" that "encourages a range of moral options based on justifications derived from responsible versions of how reality is constructed" (p. 57). They note the claims of Charles Taylor:

> Through their moral beliefs [journalists] acknowledge
> some ground in human nature or human predicament
> which makes human beings fit objects of respect,
> but they confess that they cannot subscribe with
> complete conviction to any particular definition…
> of an essentially modern predicament (p. 10).

Consequently, any expectation to objectively and comprehensively balance benefits and harms for every story in a uniform manner places an impossible burden on journalists, Klaidman and Beauchamp say: "Even experts often disagree over the nature of risks involved and over how to weight the various factors" (p. 138).

This study examined how such an ethical pluralism might manifest itself as journalists confront a menu of competing philosophical approaches and also whether certain types of ethical questions help determine which approaches to use.

Given this atmosphere of contradiction, this study tested two hypotheses:

H1: Editors will favor specific philosophical approaches for certain types of ethical questions and not for others.

H2: Reflecting the ongoing debate among media ethicists, editors will simultaneously place high value on what can be seen as competing or conflicting philosophical approaches, such as libertarianism and communitarianism, regardless of the types of ethical questions they face.

Method

Since this study posed research questions about specific examples of ethical decision-making among working journalists, a survey was the most appropriate method. A nationwide survey of 300 newspaper news editors and managing editors – positions typically close enough to the daily workings of a newsroom yet authoritative enough to speak on behalf of decisions made – provided a broad sample that allowed for a large range of ethical approaches. Using e-mail systems, the survey was sent to 300 identified journalists in October and November 1999. The survey requested that they briefly describe a situation or dilemma that they had dealt with in the last year that raised significant ethical questions. They were then asked to respond to 16 statements based on their given scenario. Editors were given two options for responding: they could reply to the e-mail message, or they could follow directions to a Web site at which they could submit their input.

The survey design ensured cross-sectional representation of newspapers – large and small, for every state. The design avoided limiting the study's scope to large, well-staffed metro papers with the luxury of making ethics decisions

relatively free from outside pressures that may be felt more keenly by smaller community papers.

For a sample of 300, the number of newspapers needed for proportional representation was calculated. After sequentially numbering each daily newspaper in each state listed in the Working Press of the Nation 2000 yearbook, a table of random numbers was used to select the established number of newspapers from each state. This provided a mix of newspapers ranging in circulation from about 3,000 to 2.2 million.

E-mail addresses for specific journalists at each newspaper holding the title of either managing editor or news editor or a comparable position within the newsroom structure were obtained. Three avenues were used to collect the addresses; some are listed in the Working Press of the Nation 2000 yearbook, and some are included on the web pages of the individual newspapers. All others were obtained through telephone inquiries. Nineteen of the selected news organizations had no e-mail systems available, and they were replaced by other randomly selected newspapers in the same states.

Measurement

Posing scenarios and quantifying journalists' responses, as several studies have done (Black et al., 1979; Voakes, 1997), would not provide answers to the question of which ethical frameworks are actually used to deal with real-life situations. Only by basing questions on specific situations is it possible to identify what philosophical approaches are applied by practitioners. While the approach of asking respondents to sketch a specific ethical scenario may appear

to ask more of respondents than other survey questions, it also is likely to increase emotional investment, particularly since it was made explicit that individual scenarios or decisions will be kept confidential in the survey results.

Using the respondents' ethical scenarios as the independent variable, their assessments of the importance of 16 survey statements established the study's dependent variable. The statements were intended to reflect claims about eight particular philosophical approaches found in the body of media ethics literature (two survey statements for each approach). For example, the concept of the Aristotelian golden mean was reflected in the statement, "Our greatest difficulty in handling the story was finding a balance between two extremes: for example, between invasion of privacy and providing full disclosure." Respondents then used a modified five-point Likert scale to assess how important or relevant each statement – and its philosophical context – was to their specific scenario. 1 = strongly disagree; 2 = disagree; 3 = agree; 4 = strongly agree; and 5 = don't know. Statistical analyses excluded all "don't know" responses.

Results

Of the 300 randomly selected newspaper editors, 55 responded to the survey for a response rate of more than 18 percent. Thirty-seven of the respondents used the Web site to respond. Such a low response rate, while disappointing, reflected the notorious resistance this population always has had to academic exercises. Still, the responses constituted a broad cross-section of small community newspapers and major metro dailies from every region of the country, including Alaska and Hawaii. As a result, the low number of responses

prevents any generalizations among all newspaper editors, but the unique nature of the study has resulted in data that illuminates the thought processes occurring in newsrooms across the country.

The scenarios described by the respondents were coded as being one or more of five types with a Scott's pi reliability index of .88:

- Issues having to do with sourcing;
- Questions of appropriateness of content or adherence to community standards;
- Questions regarding whether to manipulate photos or other pieces of content;
- Privacy issues;
- Actual or perceived conflicts of interest on an individual or organizational level.

The concerns described in 19 of the 55 scenarios had distinct roots in more than one of the categories. None of the 55 was placed into more than two categories. The largest number of the scenarios involved issues of privacy (45.5 percent), while the smallest number of scenarios involved issues of content manipulation (7 3 percent) (Table 1).

The ethical situations sketched out by respondents provide a rich source of contemporary case studies. They range from the perceived conflict of interest of a small community newspaper slanting its coverage to favor a controversial economic-development proposal to an editor's last-minute decision to doctor the photo of a tattooed woman at a music concert to obscure some obscenities on her body. One paper decided against running dramatic photos captured during a

week spent with Ku Klux Klan members. Another struggled to answer when it should make exceptions to its no-anonymous-sources policy. At one major metro daily, a columnist used a column to promote his new business. At a smaller paper, editors struggled to decide whether to publicize a case of discrimination against a disabled student at school by a teacher after the incident had been acknowledged and corrected. All of the scenarios described by the respondents were serious in nature, and several are ongoing dilemmas.

The uniqueness of the scenarios sketched by respondents was a major determinant in how editors rated the relevance of the survey statements, and analysis of responses indicate support for H1; editors favored specific philosophical approaches for certain types of ethical questions and not for others. For example, editors with situations having to do with privacy tended to strongly discount the relevance of the communitarian statement, "Our decisions to handle the story were based on a belief that the best thing to do is whatever the majority of the community wishes" ('Majority'). Of all the respondents who strongly disagreed with the statement, the largest percentage – 59 percent – had sketched privacy issues (Table 3).

Similarly, strongly-held beliefs in an autonomous press took a back seat when it came to questions about privacy. Of all the respondents who disagreed with the statement suggesting they must follow their own sense of what's responsible despite the objections of others ('Instinct'), 100 percent were dealing with privacy issues (Table 3). The editors who described ethical situations that dealt with questions about the legitimacy of sources and the use of confidential sources had little use for Aristotelian principles of moderation and middle

grounds. Of the respondents who strongly disagreed with both statements that correspond with that approach ('Balance' and 'Midgrnd'), all of them were dealing with sourcing dilemmas. (Table 3).

The value that editors placed on Judeo-Christian notions of equality varied dramatically according to the types of ethical scenarios with which they were dealing. Of the respondents who strongly agreed with the statement that suggested their main concern in handling the story was to treat everyone as equal ('Equal'), 80 percent had described dilemmas regarding the use of confidential sources or other similar source issues. But all of the editors who strongly disagreed with the same statement were dealing with questions of when exceptions should be made to policies regarding the doctoring of photos and other issues of content manipulation (Table 3).

Independent-samples *t*-tests also demonstrated a statistically significant difference in the means of responses that favored Judeo-Christian values and editors with scenarios involving issues of content manipulation ($p < .001$) (Table 4). The *t*-tests also showed a statistically significant difference between the means of editors who had privacy concerns and those who placed high values on the two statements of Aristotelian moderation ($p < .001$ and $p < .05$) (Table 5). The *t*-tests demonstrated a statistically significant difference between the mean of respondents who faced sourcing issues and those who favored universal Kantian maxims ($p < .01$) and the Judeo-Christian principle of equal treatment ($p < .01$) (Table 6). Similarly significant differences regarding high value on Aristotelian principles were found among editors who dealt with sourcing issues ($p < .001$) (Table 6) and conflict-of-interest questions ($p < .05$) (Table 7). Thus, a pattern

emerges in which journalists gravitate toward certain philosophical approaches depending on the type of ethical questions they face.

Respondents also showed conflicting patterns of thought as well. In some cases, a majority of the editors rejected one statement that corresponded with a philosophical approach, yet showed strong support for another statement that referred to the same philosophical perspective. For this reason, the paired statements for each philosophical approach could not be collapsed to provide reliable indices.

But the data do indicate a degree of consistency in thought processes that transcends the various types of ethical scenarios they faced. A strong correlation emerged between editors who said it was important to seek an Aristotelian "middle ground" in handling an ethical dilemma and editors who also emphasized the significance of the golden rule in their decision making ('Shoes' and 'Readers') ($p = < .01$) (Table 9). There also was a strong correlation between the high values placed on a statement corresponding to Judeo-Christian principles ('Treat') and the two statements referring to the golden rule ('Shoes' and 'Readers') ($p = < .01$) (Table 9).

However, survey results also indicated support for H2. Results mirrored the ongoing and vigorous debate among media ethicists advocating that the mass media will find salvation by adhering to one general approach over another. Clearly, editors place a high value on philosophical approaches that can be considered conflicting. While the data provided no correlation between the values placed on competing libertarian and communitarian approaches, the results showed a moderate correlation between other similarly competing

approaches. Editors simultaneously placed high value on statements that represented a Rawlsian emphasis on social justice ('Worstoff' and 'Fairest') and the apparently conflicting libertarian values represented by other statements ('Nerve' and 'Instinct') ($p = <.05$ for both) (Table 9). Moreover, editors who placed high value on those same libertarian approaches also placed high value on the Judeo-Christian principle of equal treatment ('Equal' and 'Treat') ($p = < .01$ and $p = < .05$, respectively) (Table 9), reflecting the classic American journalistic dichotomy of free-press individualism and equality. Similarly, editors simultaneously valued a libertarian statement of emphasizing autonomy ('Nerve') and the utilitarian value of doing whatever would provide the largest benefit for as many people as possible ('Mostgood') ($p = < .001$) (Table 9).

Discussion

The survey results suggested that journalists do tend to favor certain philosophical approaches when they are confronted with certain types of ethical questions. Respondents also confirmed the suggestion that they apply a "pluralistic" ethical approach. No one philosophical outlook appeared to predominate, and neither were any uniformly rejected by a majority of respondents. Instead, they simultaneously placed a high value on competing or conflicting philosophical outlooks. The survey results, then, illuminated the large degree of complexity, and healthy dose of contradiction, involved in the search for the best ways to deal with real-life ethical questions.

The results of this survey demonstrated that there are distinct, identifiable philosophical approaches behind the thought processes that go into the ethical questions raised in newsrooms every day. All of the respondents who faced dilemmas involving privacy rejected the suggestion that they were not constrained by the potential negative impacts of their actions. Such a uniform response indicates that awareness of and respect for privacy is a major influence on news decisions despite the popular conception of the hard-nosed journalist who uses press freedoms as a ticket to trample through other people's lives. Conversely, the responses suggest that other types of ethical questions called for firmer policies; a balancing of interests was not a major consideration when it came to assessing source credibility and whether anonymous sources would hurt credibility.

Unlike studies that have relied on generic scenarios to measure ethical behavior, this survey resulted in a rich variety of real-life case studies and the philosophical perspectives that are brought to bear on them. Obviously, editors do not proclaim allegiance to a particular philosophical perspective and decide accordingly on every ethical question that comes their way. The results may prompt cynics to suggest that some newspaper editors are firm believers in a convenient situational ethics. But more appropriate is the conclusion that the respondents reflect a robust pluralistic view of ethical thought. As Gomes says, "Good does not result from the proper application of theoretical norms; rather, it always results from an interaction involving the individual" (1997, p. 212).

The survey results also reflected the increasing complexity of journalism ethics in which cut-and-dried prescriptions of Jeffersonian libertarianism and

Progressive Era communitarianism are no longer adequate in today's globalist and corporate culture. As Christians, Ferré and Fackler argue, "Thoughtful members of the news profession realize that the great issues of the information age demand more intricacies than journalistic morality in the democratic liberal tradition has provided" (p. 44).

But in the continuing industry-wide struggle to define the nature of ethical behavior, this study suggested that, in the trenches, certain approaches are considered appropriate for certain types of problems and not others. By offering a glimpse of these rationales, the survey results help point the way to a fuller understanding of how such a selective and varied use of a menu of philosophical approaches shape our concept of journalism ethics.

The survey results also demonstrated, however, the enormous difficulty of quantifying such philosophical approaches within the meaningful context of actual ethical concerns. As one respondent commented, "I don't believe that decisions made from an infinite variety of stories can be quantified in a database." The sausage factory-style process of working through ethical dilemmas on deadline rarely fits neatly in any categories. Further effort is required to refine such measurements and to find ways of isolating other influences that may be affecting the reliability of the results. This will require more qualitative study of the survey results and further examination of the individual scenarios sketched by the respondents, including follow-up interviews to gain clearer pictures of possible external influences.

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Appendix A

Coding Instructions. Read The ethical scenario written be each respondent. Do not make marks on the respondent sheets. Determine, and record on a separate sheet of paper, which general category is most appropriate for the situation or question described:

- **Sourcing Issues.** This category would include concerns over the use of confidential sources, policies applied to sources that request confidentiality, or cases in which the truthfulness of a source is an overriding question. It also would include issues where hostile sources or subjects threatened or pressured the paper to influence how they would be portrayed.
- **Community Standards.** This category would include questions raised by readers, editors, reporters or photographers regarding the legitimacy or appropriateness of the content of an article or photograph. This would include cases in which editors must determine what standards of sensitivity must controversial content meet before being allowed into print.
- **Content manipulation.** This category would include situations in which editors must weigh the option of altering or manipulating a piece of content to protect certain interests that otherwise could be compromised by a more natural or honest presentation. This category also would include cases in which contrived or manipulated content was published unknowingly by the newspaper and was later challenged.
- **Privacy Issues.** This category would include cases in which news coverage of a particular group or event could pose harm to or infringe upon the privacy

of an individual. Scenarios should be assigned to this category when such a concern of harm as a result of news coverage appears to be the overriding concern. The category also would include questions about the degree to which certain individuals should be exposed by news coverage (crime victims and juveniles, for example), and when newspapers must decide when to make exceptions – or not to make proposed exceptions – to policies governing the identification of individuals.

- **Conflict of Interest.** This category would include issues in which journalistic impartiality emerges as a central question. Both individual and institutional conflict-of-interest concerns should be assigned to this category. That is, it includes cases in which the newspaper, as a medium for its community, is faced with the possibility that news coverage might run counter to perceived community "interests."

Appendix B

Survey Instrument.

[E-mail message].
As a newspaper reporter of 12 years, I know how busy you are with deadlines. But I also know it's good to pause once in a while to consider the big questions. I have an important one: How do working journalists deal with ethical issues?

I've tried hard to keep this survey brief – it should take no more than 10 minutes of your time – and I'm just asking a small number of editors for their input. So it's all the more critical that I get yours!

Your responses will be kept confidential, and there will be no way for you to be identified in the survey results.

If your e-mail system allows it, simply hit your reply button and type in your response after each question in this e-mail, and then send. Or, simply click to a Web page I have prepared, at http://web.syr.edu/~plplaisa/

Thanks for your time. If you have any questions or comments, please e-mail me (plplaisa@syr.edu) or call me at (315) 428-9639.

Sincerely,
Patrick Lee Plaisance
Doctoral student, S.I. Newhouse School of Public Communications,
Syracuse University

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Thank you for taking a few minutes to be a part of this survey. Your responses are confidential.

Would you like to receive information about the results of this survey? [ ] Yes.

Think of a story, or situation with a source or a reader, that raised significant journalistic ethical issues for your newspaper recently. It could be a conflict-of-interest question, for example, or a story in which the possible use of confidential sources posed a dilemma.

Describe the situation in as many or in as few words as you like. It is not necessary to identify any individuals or organizations involved. Mention what the final outcome was (whether the story in question ran or did not run, for example, or a confidential source was or wasn't used). Be sure to mention what year the incident occurred.
[type here.]

Based on the situation you described, state how much each of the following statements was **relevant** to your decision making. While many of the statements may have reflected parts of your decision making, think them in terms of which were **primary** considerations and which were more **minor** factors. Simply mark the relevant box with an X.

1. While our decision to run the story may have stirred controversy or struck a raw nerve in the community, it served our main role of providing a lively forum. **[Libertarian, 7a.]**
Strongly Agree:[ ] Agree:[ ] Disagree:[ ] Strongly Disagree:[ ] Don't Know:[ ]

2. We were motivated to handle the situation the way we did primarily by our desire to improve the lives of the most disadvantaged in society. **[Social Justice, 2a.]**
Strongly Agree:[ ] Agree:[ ] Disagree:[ ] Strongly Disagree:[ ] Don't Know:[ ]

3. We were primarily concerned about establishing a bad precedent in the way we handle controversial stories and thus hurt our credibility.
[Categorical/Kantian, 3b.]
Strongly Agree:[ ] Agree:[ ] Disagree:[ ] Strongly Disagree:[ ] Don't Know:[ ]

4. We took steps to get more information about the situation before deciding how to handle the story, even if that meant missing a deadline. **['Delay'; practical-oriented.]**
Strongly Agree:[ ] Agree:[ ] Disagree:[ ] Strongly Disagree:[ ] Don't Know:[ ]

5. We were guided in our deliberations primarily by thinking about how we might feel if we were the news subjects. **[Golden Rule, 4a.]**
Strongly Agree:[ ] Agree:[ ] Disagree:[ ] Strongly Disagree:[ ] Don't Know:[ ]

6. Deadlines, competition and other pressures forced us to be more hasty in our decision-making than we would have liked. **['Hasty'; practical-oriented.]**
Strongly Agree:[ ] Agree:[ ] Disagree:[ ] Strongly Disagree:[ ] Don't Know:[ ]

7. Our main concern in handling this story was to treat everyone as equal – in other words, to avoid suggesting that anyone was inferior to others based on their record or their actions. **[Judeo-Christian, 5a.]**
Strongly Agree:[ ] Agree:[ ] Disagree:[ ] Strongly Disagree:[ ] Don't Know:[ ]

8. Our motivation in handling this story was based on our desire to do the most good for as many people as possible. **[Utilitarian, 6a.]**
Strongly Agree:[ ] Agree:[ ] Disagree:[ ] Strongly Disagree:[ ] Don't Know:[ ]

9. Our decisions to handle the story were based on a belief that the best thing to do is whatever the majority of the community wishes. **[Communitarian, 1a.]**
Strongly Agree:[ ] Agree:[ ] Disagree:[ ] Strongly Disagree:[ ] Don't Know:[ ]

10. The story posed a tough test of our allegiance to our basic principles – in other words, and we had to let the chips fall where they may. [**Categorical/Kantian, 3b.]**
Strongly Agree:[ ] Agree:[ ] Disagree:[ ] Strongly Disagree:[ ] Don't Know:[ ]

11. The ethical angles of this situation were much discussed among editors and reporters involved in the situation before a final decision was made. **['Discuss'; practical-oriented.]**
Strongly Agree:[ ] Agree:[ ] Disagree:[ ] Strongly Disagree:[ ] Don't Know:[ ]

12. Our decisions on this story were based on what we thought would be the story's long-term benefits, even though that may have meant initial embarrassment or discomfort for some people. **[Utilitarian, 6b.]**
Strongly Agree:[ ] Agree:[ ] Disagree:[ ] Strongly Disagree:[ ] Don't Know:[ ]

13. In handling the story, we tried to consider how we would react to the story if we were readers. **[Golden Rule, 4b.]**
Strongly Agree:[ ] Agree:[ ] Disagree:[ ] Strongly Disagree:[ ] Don't Know:[ ]

14. Above all, we set out to do whatever was fairest for everyone involved. **[Social Justice, 2b.]**
Strongly Agree:[ ] Agree:[ ] Disagree:[ ] Strongly Disagree:[ ] Don't Know:[ ]

15. We believe it is important to produce public-journalism projects. **['Civicjrn'; practical-oriented.]**
Strongly Agree:[ ] Agree:[ ] Disagree:[ ] Strongly Disagree:[ ] Don't Know:[ ]

16. Our greatest difficulty in handling the story was finding a balance between two extremes: for example, between invasion of privacy and providing full disclosure. **[Aristotelian, 8a.]**
Strongly Agree:[ ] Agree:[ ] Disagree:[ ] Strongly Disagree:[ ] Don't Know:[ ]

17. We feel we have a duty to follow our own sense of what is responsible despite the objections of others in the community. **[Libertarian, 7b.]**
Strongly Agree:[ ] Agree:[ ] Disagree:[ ] Strongly Disagree:[ ] Don't Know:[ ]

18. As we grappled with how to pursue and present the story, we sought to find a middle ground between being overly aggressive and failing to adequately cover all aspects of the story. **[Aristotelian, 8b.]**
Strongly Agree:[ ] Agree:[ ] Disagree:[ ] Strongly Disagree:[ ] Don't Know:[ ]

19. Our main concern was how we were dealing with people in our pursuit of the story. **[Judeo-Christian, 5b.]**
Strongly Agree:[ ] Agree:[ ] Disagree:[ ] Strongly Disagree:[ ] Don't Know:[ ]

20. Our own sense of "community spirit," were the driving forces behind our decisions about how to handle this story. **[Communitarian, 1b.]**
Strongly Agree:[ ] Agree:[ ] Disagree:[ ] Strongly Disagree:[ ] Don't Know:[ ]

That's It! Many thanks for your time.

Before you send this back to me, I would like some basic information about you so I can account for all my responses and make some general comparisons among them. Again, none of this is will be identified in the actual survey results.

Your Newspaper:
Your age:
Number of years in present position:
Number of years spent in the community:
Number of years in journalism:

Patrick Lee Plaisance

Table 1. Frequencies for ethical scenario categories.

Variables	Percentage (N = 55*)
Sourcing	17 (30.9%)
Community Standards	21 (38.2%)
Content Manipulation	4 (7.3%)
Privacy	25 (45.5%)
Conflict of Interest	9 (16.4)

* 19 cases were classified into more than one category.

Table 2. Frequencies for responses to survey statements.

Variables (# = position on survey)	(N = 55)	Percentage
Communitarian		
(A.) Majority		
SD	25	50.9
D	20	37.7
A	4	7.5
SA	2	3.8
(B.) Commsprt		
SD	2	4.1
D	26	53.1
A	15	30.6
SA	6	12.2
Social Justice		
(A.) Worstoff		
SD	12	25.5
D	25	53.2
A	6	12.8
SA	4	8.5
(B.) Fairest		
SD	1	1.9
D	11	21.2
A	26	50.0
SA	14	26.9
Categorical/Kantian		
(A.) Credible		
SD	9	16.7
D	21	38.9
A	16	29.6
SA	8	14.8
(B.) Chips		
SD	--	--
D	14	26.9
A	27	51.9
SA	11	21.2
Golden Rule		
(A.) Shoes		
SD	7	13.2
D	26	49.1
A	14	26.4
SA	6	11.3
(B.) Readers		
SD	2	3.8
D	16	30.2
A	22	41.5
SA	13	24.5

** Based on 4-point scale (STR DISAGR; DISAGR; AGR; STR AGR), excluding all DON'T KNOW responses.

(Contd.)

Table 2 (contd.). Frequencies for responses to survey statements.

Variables (# = position on survey)	(N = 55)	Percentage
Judeo-Christian		
(A.) Equal		
SD	1	2.2
D	20	44.4
A	14	31.1
SA	10	22.2
(B.) Treat		
SD	2	3.8
D	24	46.2
A	19	36.5
SA	7	13.5
Utilitarian		
(A.) Mostgood		
SD	1	1.9
D	14	26.4
A	31	58.5
SA	7	13.2
(B.) Longterm		
SD	--	--
D	8	15.4
A	28	53.8
SA	16	30.8
Libertarian		
(A.) Nerve		
SD	3	6.1
D	23	46.9
A	16	32.7
SA	7	14.3
(B.) Instinct		
SD	--	--
D	2	3.6
A	24	43.6
SA	29	52.7
Aristotelian		
(A.) Balance		
SD	1	1.9
D	17	32.1
A	22	41.5
SA	13	24.5
(B.) Midgrnd		
SD	1	1.9
D	15	28.3
A	29	54.7
SA	8	15.1

** Based on 4-point scale (STR DISAGR; DISAGR; AGR; STR AGR), excluding all DON'T KNOW responses.

Table 3. Crosstabulation of ethical scenarios and philosophical approaches.

Variables	Scenario categories (percentage 'Yes')				
	Sourcing	Community Standards	Content Manipulation	Privacy	Conflict of Interest
Communitarian					
Majority (N = 53					
SD	22.2	44.4	3.7	59.3	14.8
D	45.0	35.0	5.0	35.0	20.0
A	-	25.0	25.0	25.0	25.0
SA	50.0	-	50.0	-	-
Cramer's V =	.17	.55	.05	.15	.84
Commsprt (N = 49)					
SD	50.0	-	-	50.0	-
D	26.9	50.0	3.8	50.0	15.4
A	26.7	26.7	13.3	40.0	20.0
SA	33.3	33.3	-	30.3	16.7
Cramer's V =	.90	.30	.54	.85	.90
Social Justice					
Worstoff (N = 47)					
SD	33.3	41.7	16.7	33.3	33.3
D	28.0	40.0	4.0	52.0	8.0
A	16.7	-	-	50.0	33.3
SA	75.0	25.0	-	25.0	25.0
Cramer's V =	.23	.27	.38	.60	.22
Fairest (N = 52)					
SD	-	100.0	-	100.0	-
D	27.3	63.6	-	45.5	18.2
A	26.9	19.6	11.5	50.0	15.4
SA	42.9	42.9	-	42.9	21.4
Cramer's V =	.64	.03	.36	.72	.93
Categorical/Kantian					
Credible (N = 54)					
SD	11.1	33.3	-	33.3	44.4
D	19.0	52.4	9.5	61.9	4.8
A	37.5	37.5	6.3	37.5	18.8
SA	75.0	12.5	12.5	25.0	12.5
Cramer's V =	.01	.25	.75	.20	.06
Chips (N = 52)					
SD	-	-	-	-	-
D	42.9	42.9	-	42.9	7.1
A	18.5	40.7	11.1	48.1	18.5
SA	45.5	27.3	9.1	27.3	27.3
Cramer's V =	.13	.68	.44	.49	.40
Golden Rule					
Shoes (N = 53)					
SD	42.9	42.9	28.6	-	28.6
D	19.2	46.2	3.8	53.8	15.4
A	42.9	35.7	7.1	50.0	-
SA	33.3	16.7	-	66.7	16.7
Cramer's V =	.37	.59	.14	.05	.29
Readers (N = 53)					
SD	50.0	50.0	-	-	50.0
D	25.0	37.5	12.5	50.0	-
A	31.8	31.8	4.5	50.0	18.2
SA	23.1	53.8	7.7	46.2	30.8
Cramer's V =	.83	.62	.80	.59	.08

(Cont.)

Table 3 (cont.) Crosstabulation of ethical scenarios and philosophical approaches.

Variables	Scenario categories (percentage 'Yes')				
	Sourcing	Community Standards	Content Manipulation	Privacy	Conflict of Interest
Judeo-Christian					
Equal (N = 45)					
SD	-	-	100.0	100.0	-
D	20.0	50.0	5.0	50.0	20.0
A	14.3	35.7	-	35.7	28.6
SA	80.0	10.0	20.0	20.0	10.0
Cramer's V =	.002	.15	.003	.25	.67
Treat (N = 52)					
SD	50.0	-	-	-	50.0
D	33.3	37.5	16.7	37.5	16.7
A	26.3	36.8	-	63.2	15.8
SA	14.3	57.1	-	57.1	-
Cramer's V =	.69	.51	.17	.18	.37
Utilitarian					
Mostgood (N = 53)					
SD	-	-	-	-	100.0
D	7.1	42.9	14.3	61.3	14.3
A	35.5	45.2	3.2	41.9	16.1
SA	42.9	14.3	14.3	42.9	14.3
Cramer's V =	.17	.40	.51	.40	.17
Longterm (N = 52)					
SD	-	-	-	-	-
D	25.0	37.5	25.0	25.0	12.5
A	25.0	39.3	3.6	46.4	17.9
SA	50.0	37.5	6.3	43.8	18.8
Cramer's V =	.21	.99	.12	.55	.92
Libertarian					
Nerve (N = 49)					
SD	-	33.3	33.3	33.3	66.7
D	34.8	30.4	4.3	43.5	17.4
A	18.8	43.8	12.5	43.8	12.5
SA	57.1	42.9	-	28.6	-
Cramer's V =	.18	.83	.26	.89	.07
Instinct (N = 55)					
SD	-	-	-	-	-
D	50.0	-	-	100.0	-
A	25.0	33.3	8.3	45.8	16.7
SA	34.5	44.8	6.9	41.4	17.2
Cramer's V =	.63	.36	.90	.27	.81
Aristotelian					
Balance (N = 53)					
SD	100.0	-	-	-	-
D	58.8	35.3	5.9	17.6	23.5
A	18.2	45.5	9.1	50.0	18.2
SA	7.7	30.8	7.7	76.9	7.7
Cramer's V =	.003	.68	.97	.01	.67
Midgrnd (N = 53)					
SD	100.0	100.0	-	-	-
D	33.3	26.7	6.7	33.3	33.3
A	24.1	44.8	10.3	48.3	10.3
SA	25.0	37.5	-	75.0	-
Cramer's V =	.39	.40	.78	.2	.11

Table 4. Independent t-test for philosophical approaches by scenarios concerning content manipulation.

Variables	Content Manipulation yes Means (SD)	no Means (SD)	t value	df	significance
Communitarian:					
Our decisions to handle the story were based on a belief that the best thing to do is whatever the majority of the community wishes.	2.50 (1.29) N=4	1.57 (.71) N=49	-1.42	3.15	ns
Our own sense of "community spirit," was the driving force behind our decisions about how to handle this story.	2.67 (.58) N=3	2.50 (.78) N=46	-0.36	47.00	ns
Social Justice:					
We were motivated to handle the situation the way we did primarily by our desire to improve the lives of the most disadvantaged in society.	1.33 (.58) N=3	2.09 (.86) N=44	1.50	45.00	ns
Above all, we set out to do whatever was fairest for everyone involved.	3.00 (.00) N=3	3.02 (.78) N=49	0.18	48.00	ns
Categorical/Kantian:					
We were primarily concerned about establishing a bad precedent in the way we handle controversial stories and thus hurt our credibility.	2.75 (.96) N=4	2.40 (.95) N=50	-0.71	52.00	ns
The story posed a tough test of our allegiance to our basic principles – in other words, and we had to let the chips fall where they may.	3.25 (.50) N=4	2.92 (.71) N=48	-0.92	50.00	ns
Golden Rule:					
We were guided in our deliberations primarily by thinking about how we might feel if we were the news subjects.	1.75 (.96) N=4	2.41 (.84) N=49	1.49	51.00	ns
In handling the story, we tried to consider how we would react to the story if we were readers.	2.75 (.96) N=4	2.88 (.83) N=49	0.29	51.00	ns
Judeo-Christian:					
Our main concern in handling this story was to treat everyone as equal – in other words, to avoid suggesting that anyone was inferior to others based on their record or their actions.	2.75 (1.50) N=4	2.73 (.78) N=41	-0.02	3.16	ns
Our main concern was how we were dealing with people in our pursuit of the story.	2.00 (.00) N=4	2.64 (.79) N=48	5.70	47.00	$p < .001$

(cont'd.)

Table 4. (cont'd.) Independent t-test for philosophical approaches by scenarios concerning content manipulation.

Variables	Content Manipulation yes Means (SD)	no Means (SD)	t value	df	significance
Utilitarian:					
Our motivation in handling this story was based on our desire to do the most good for as many people as possible.	2.75 (.96) N=4	2.84 (.66) N=49	0.25	51.00	ns
Our decisions on this story were based on what we thought would be the story's long-term benefits, even though that may have meant initial embarrassment or discomfort for some people.	2.75 (.96) N=4	3.19 (.64) N=48	1.27	50.00	ns
Libertarian:					
While our decision to run the story may have stirred controversy or struck a raw nerve in the community, it served our main role of providing a lively forum.	2.25 (.96) N=4	2.58 (.81) N=45	0.76	47.00	ns
We feel we have a duty to follow our own sense of what is responsible despite the objections of others in the community.	3.50 (.58) N=4	3.49 (.58) N=51	-0.03	53.00	ns
Aristotelian:					
Our greatest difficulty in handling the story was finding a balance between two extremes: for example, between invasion of privacy and providing full disclosure.	3.00 (.82) N=4	2.88 (.81) N=49	-0.29	51.00	ns
As we grappled with how to pursue and present the story, we sought to find a middle ground between being overly aggressive and failing to adequately cover all aspects of the story.	2.75 (.50) N=4	2.84 (.72) N=49	0.24	51.00	ns

* Responses were coded: 1=strongly agree, 2=agree, 3=disagree, 4=strongly disagree, 5=don't know. All "don't know" responses were excluded.

Table 5. Independent t-test for philosophical approaches by scenarios concerning privacy.

Variables	Privacy yes Means (SD)	Privacy no Means (SD)	t value	df	significance
Communitarian:					
Our decisions to handle the story were based on a belief that the best thing to do is whatever the majority of the community wishes.	1.38 (.58) N=24	1.86 (.88) N=29	2.34	51.00	$p < .05$
Our own sense of "community spirit," was the driving force behind our decisions about how to handle this story.	2.41 (.73) N=22	2.59 (.80) N=27	0.83	47.00	ns
Social Justice:					
We were motivated to handle the situation the way we did primarily by our desire to improve the lives of the most disadvantaged in society.	2.05 (.74) N=21	2.04 (.96) N=26	-0.04	45.00	ns
Above all, we set out to do whatever was fairest for everyone involved.	2.96 (.79) N=25	3.07 (.73) N=27	0.54	50.00	ns
Categorical/Kantian:					
We were primarily concerned about establishing a bad precedent in the way we handle controversial stories and thus hurt our credibility.	2.29 (.81) N=24	2.53 (1.04) N=30	0.96	51.96	ns
The story posed a tough test of our allegiance to our basic principles – in other words, and we had to let the chips fall where they may.	2.86 (.64) N=22	3.00 (.74) N=30	0.69	50.00	ns
Golden Rule:					
We were guided in our deliberations primarily by thinking about how we might feel if we were the news subjects.	2.60 (.76) N=25	2.14 (.89) N=28	-1.99	51.00	$p < .05$
In handling the story, we tried to consider how we would react to the story if we were readers.	2.92 (.76) N=25	2.82 (.91) N=28	-0.43	51.00	ns
Judeo-Christian:					
Our main concern in handling this story was to treat everyone as equal – in other words, to avoid suggesting that anyone was inferior to others based on their record or their actions.	2.44 (.78) N=18	2.92 (.83) N=27	1.95	43.00	ns
Our main concern was how we were dealing with people in our pursuit of the story.	2.80 (.71) N=25	2.41 (.80) N=27	-1.87	50.00	ns

(cont'd.)

Table 5. (cont'd.) Independent t-test for philosophical approaches by scenarios concerning privacy.

Variables	Privacy yes Means (SD)	Privacy no Means (SD)	t value	df	significance
Utilitarian:					
Our motivation in handling this story was based on our desire to do the most good for as many people as possible.	2.76 (.66) N=25	2.89 (.69) N=28	0.72	51.00	ns
Our decisions on this story were based on what we thought would be the story's long-term benefits, even though that may have meant initial embarrassment or discomfort for some people.	3.23 (.61) N=22	3.10 (.71) N=30	-0.67	50.00	ns
Libertarian:					
While our decision to run the story may have stirred controversy or struck a raw nerve in the community, it served our main role of providing a lively forum.	2.50 (.76) N=20	2.59 (.87) N=29	0.36	47.00	ns
We feel we have a duty to follow our own sense of what is responsible despite the objections of others in the community.	3.40 (.64) N=25	3.57 (.50) N=30	1.05	44.97	ns
Aristotelian:					
Our greatest difficulty in handling the story was finding a balance between two extremes: for example, between invasion of privacy and providing full disclosure.	3.29 (.69) N=24	2.55 (.74) N=29	-3.75	51.00	$p < .001$
As we grappled with how to pursue and present the story, we sought to find a middle ground between being overly aggressive and failing to adequately cover all aspects of the story.	3.04 (.68) N=25	2.64 (.68) N=28	-2.13	51.00	$p < .05$

* Responses were coded: 1=strongly agree, 2=agree, 3=disagree, 4=strongly disagree, 5=don't know. All "don't know" responses were excluded.

Table 6. Independent t-test for philosophical approaches by scenarios concerning sourcing.

Variables	Sourcing yes Means (SD)	Sourcing no Means (SD)	t value	df	significance
Communitarian:					
Our decisions to handle the story were based on a belief that the best thing to do is whatever the majority of the community wishes.	1.75 (.78) N=16	1.59 (.80) N=37	-0.66	51.00	ns
Our own sense of "community spirit," was the driving force behind our decisions about how to handle this story.	2.50 (.86) N=14	2.51 (.74) N=35	0.06	47.00	ns
Social Justice:					
We were motivated to handle the situation the way we did primarily by our desire to improve the lives of the most disadvantaged in society.	2.20 (1.08) N=15	1.97 (.74) N=32	-0.75	20.36	ns
Above all, we set out to do whatever was fairest for everyone involved.	3.19 (.75) N=16	2.94 (.75) N=36	-1.07	50.00	ns
Categorical/Kantian:					
We were primarily concerned about establishing a bad precedent in the way we handle controversial stories and thus hurt our credibility.	3.00 (.94) N=17	2.16 (.83) N=37	-3.30	52.00	$p < .01$
The story posed a tough test of our allegiance to our basic principles – in other words, and we had to let the chips fall where they may.	2.94 (.85) N=16	2.94 (.63) N=36	0.03	22.57	ns
Golden Rule:					
We were guided in our deliberations primarily by thinking about how we might feel if we were the news subjects.	2.44 (.96) N=16	2.32 (.82) N=37	-0.44	51.00	ns
In handling the story, we tried to consider how we would react to the story if we were readers.	2.80 (.86) N=15	2.89 (.83) N=38	0.37	51.00	ns
Judeo-Christian:					
Our main concern in handling this story was to treat everyone as equal – in other words, to avoid suggesting that anyone was inferior to others based on their record or their actions.	3.29 (.91) N=14	2.48 (.68) N=31	-2.94	19.71	$p < .01$
Our main concern was how we were dealing with people in our pursuit of the story.	2.40 (.74) N=15	2.68 (.78) N=37	1.17	50.00	ns

(cont'd)

Table 6. (cont'd.) Independent t-test for philosophical approaches by scenarios concerning sourcing.

Variables	Sourcing yes Means (SD)	Sourcing no Means (SD)	t value	df	significance
Utilitarian:					
Our motivation in handling this story was based on our desire to do the most good for as many people as possible.	3.13 (.52) N=15	2.71 (.69) N=38	-2.42	34.45	$p < .05$
Our decisions on this story were based on what we thought would be the story's long-term benefits, even though that may have meant initial embarrassment or discomfort for some people.	3.35 (.70) N=17	3.06 (.64) N=35	-1.52	50.00	ns
Libertarian:					
While our decision to run the story may have stirred controversy or struck a raw nerve in the community, it served our main role of providing a lively forum.	2.73 (.88) N=15	2.47 (.79) N=34	-1.04	47.00	ns
We feel we have a duty to follow our own sense of what is responsible despite the objections of others in the community.	3.53 (.62) N=17	3.47 (.56) N=38	-0.33	53.00	ns
Aristotelian:					
Our greatest difficulty in handling the story was finding a balance between two extremes: for example, between invasion of privacy and providing full disclosure.	2.31 (.70) N=16	3.14 (.71) N=37	3.87	51.00	$p < .001$
As we grappled with how to pursue and present the story, we sought to find a middle ground between being overly aggressive and failing to adequately cover all aspects of the story.	2.67 (.82) N=15	2.89 (.65) N=38	1.07	51.00	ns

* Responses were coded: 1=strongly agree, 2=agree, 3=disagree, 4=strongly disagree, 5=don't know. All "don't know" responses were excluded.

Table 7. Independent t-test for philosophical approaches by scenarios concerning conflict of interest.

Variables	Conflict of Interest yes Means (SD)	no Means (SD)	t value	df	significance
Communitarian:					
Our decisions to handle the story were based on a belief that the best thing to do is whatever the majority of the community wishes.	1.67 (.71) N=9	1.64 (.81) N=44	-0.10	51.00	ns
Our own sense of "community spirit," was the driving force behind our decisions about how to handle this story.	2.62 (.74) N=8	2.49 (.78) N=41	-0.46	47.00	ns
Social Justice:					
We were motivated to handle the situation the way we did primarily by our desire to improve the lives of the most disadvantaged in society.	2.00 (1.12) N=9	2.05 (.80) N=38	0.16	45.00	ns
Above all, we set out to do whatever was fairest for everyone involved.	3.11 (.78) N=9	3.00 (.76) N=43	-0.40	50.00	ns
Categorical/Kantian:					
We were primarily concerned about establishing a bad precedent in the way we handle controversial stories and thus hurt our credibility.	2.11 (1.17) N=9	2.49 (.90) N=45	1.10	52.00	ns
The story posed a tough test of our allegiance to our basic principles – in other words, and we had to let the chips fall where they may.	3.22 (.67) N=9	2.88 (.70) N=43	-1.33	50.00	ns
Golden Rule:					
We were guided in our deliberations primarily by thinking about how we might feel if we were the news subjects.	2.00 (1.00) N=7	2.41 (.83) N=46	1.19	51.00	ns
In handling the story, we tried to consider how we would react to the story if we were readers.	3.22 (.97) N=9	2.80 (.80) N=44	-1.41	51.00	ns
Judeo-Christian:					
Our main concern in handling this story was to treat everyone as equal – in other words, to avoid suggesting that anyone was inferior to others based on their record or their actions.	2.67 (.71) N=9	2.75 (.87) N=36	0.26	43.00	ns
Our main concern was how we were dealing with people in our pursuit of the story.	2.25 (.71) N=8	2.66 (.78) N=44	1.39	50.00	ns

(cont'd.)

Table 7. (cont'd.) Independent t-test for philosophical approaches by scenarios concerning conflict of interest

Variables	Conflict of Interest yes Means (SD)	no Means (SD)	t value	df	significance
Utilitarian:					
Our motivation in handling this story was based on our desire to do the most good for as many people as possible.	2.67 (.87) N=9	2.86 (.63) N=44	0.80	51.00	ns
Our decisions on this story were based on what we thought would be the story's long-term benefits, even though that may have meant initial embarrassment or discomfort for some people.	3.22 (.67) N=9	3.14 (.68) N=43	-0.33	50.00	ns
Libertarian:					
While our decision to run the story may have stirred controversy or struck a raw nerve in the community, it served our main role of providing a lively forum.	2.00 (.76) N=8	2.66 (.79) N=41	2.16	47.00	ns
We feel we have a duty to follow our own sense of what is responsible despite the objections of others in the community.	3.55 (.53) N=9	3.48 (.59) N=46	-0.37	53.00	ns
Aristotelian:					
Our greatest difficulty in handling the story was finding a balance between two extremes: for example, between invasion of privacy and providing full disclosure.	2.67 (.71) N=9	2.93 (.82) N=44	0.90	51.00	ns
As we grappled with how to pursue and present the story, we sought to find a middle ground between being overly aggressive and failing to adequately cover all aspects of the story.	2.38 (.52) N=8	2.91 (.70) N=45	2.06	51.00	$p < .05$

* Responses were coded: 1=strongly agree, 2=agree, 3=disagree, 4=strongly disagree, 5=don't know. All "don't know" responses were excluded.

Table 8. Independent t-test for philosophical approaches by scenarios concerning community standards.

Variables	Community Standards yes Means (SD)	Community Standards no Means (SD)	t value	df	significance
Communitarian:					
Our decisions to handle the story were based on a belief that the best thing to do is whatever the majority of the community wishes.	1.45 (.60) N=20	1.76 (.87) N=33	1.39	51.00	ns
Our own sense of "community spirit," was the driving force behind our decisions about how to handle this story.	2.42 (.69) N=19	2.57 (.82) N=30	0.64	47.00	ns
Social Justice:					
We were motivated to handle the situation the way we did primarily by our desire to improve the lives of the most disadvantaged in society.	1.81 (.75) N=16	2.16 (.90) N=31	1.33	45.00	ns
Above all, we set out to do whatever was fairest for everyone involved.	2.84 (.96) N=19	3.12 (.60) N=33	1.15	26.29	ns
Categorical/Kantian:					
We were primarily concerned about establishing a bad precedent in the way we handle controversial stories and thus hurt our credibility.	2.24 (.77) N=21	2.54 (1.03) N=33	1.25	50.62	ns
The story posed a tough test of our allegiance to our basic principles – in other words, and we had to let the chips fall where they may.	2.85 (.67) N=20	3.00 (.72) N=32	0.75	50.00	ns
Golden Rule:					
We were guided in our deliberations primarily by thinking about how we might feel if we were the news subjects.	2.19 (.75) N=21	2.47 (.91) N=32	1.16	51.00	ns
In handling the story, we tried to consider how we would react to the story if we were readers.	2.95 (.92) N=21	2.81 (.78) N=32	-0.59	51.00	ns
Judeo-Christian:					
Our main concern in handling this story was to treat everyone as equal – in other words, to avoid suggesting that anyone was inferior to others based on their record or their actions.	2.44 (.63) N=16	2.90 (.90) N=29	1.81	43.00	ns
Our main concern was how we were dealing with people in our pursuit of the story.	2.75 (.79) N=20	2.50 (.76) N=32	-1.14	50.00	ns

(cont'd.)

Table 8. (cont'd.) Independent t-test for philosophical approaches by scenarios concerning community standards.

Variables	Community Standards yes Means (SD)	Community Standards no Means (SD)	t value	df	significance
Utilitarian:					
Our motivation in handling this story was based on our desire to do the most good for as many people as possible.	2.76 (.54) N=21	2.88 (.75) N=32	0.60	51.00	ns
Our decisions on this story were based on what we thought would be the story's long-term benefits, even though that may have meant initial embarrassment or discomfort for some people.	3.15 (.67) N=20	3.16 (.68) N=32	0.03	50.00	ns
Libertarian:					
While our decision to run the story may have stirred controversy or struck a raw nerve in the community, it served our main role of providing a lively forum.	2.67 (.84) N=18	2.48 (.81) N=31	-0.75	47.00	ns
We feel we have a duty to follow our own sense of what is responsible despite the objections of others in the community.	3.62 (.50) N=21	3.41 (.61) N=34	-1.31	53.00	ns
Aristotelian:					
Our greatest difficulty in handling the story was finding a balance between two extremes: for example, between invasion of privacy and providing full disclosure.	2.90 (.72) N=20	2.88 (.86) N=33	-0.09	51.00	ns
As we grappled with how to pursue and present the story, we sought to find a middle ground between being overly aggressive and failing to adequately cover all aspects of the story.	2.86 (.73) N=21	2.81 (.69) N=32	-0.23	51.00	ns

* Responses were coded: 1=strongly agree, 2=agree, 3=disagree, 4=strongly disagree, 5=don't know. All "don't know" responses were excluded.

Table 9. Pearson correlation coefficients for philosophical approaches.

Variables	1a.	1b.	2a.	2b.	3a.	3b.	4a.	4b.	5a.	5b.	6a.	6b.	7a.	7b.	8a.	8b.
1. Communitarian																
a. Majority	---	0.19	0.18	-0.02	0.14	-0.18	-0.01	-0.10	0.30 [a]	-0.13	0.03	-0.12	0.11	-0.16	-0.25	-0.08
		(48)	(45)	(50)	(52)	(50)	(51)	(51)	(45)	(50)	(51)	(50)	(48)	(53)	(51)	(51)
b. Commsprt		---	0.08	0.30	0.08	0.33	-0.03	0.05	0.21	0.11	0.16	0.06	0.18	-0.01	-0.07	0.33 [a]
			(42)	(47)	(48)	(46)	(48)	(48)	(41)	(47)	(48)	(46)	(46)	(49)	(47)	(48)
2. Social Justice																
a. Worstoff			---	0.21	0.29 [a]	-0.04	0.25	-0.14	0.28	0.01	0.45 [b]	0.23	0.38 [a]	0.05	-0.08	-0.12
				(46)	(46)	(45)	(45)	(46)	(42)	(46)	(46)	(45)	(43)	(47)	(47)	(46)
b. Fairest				---	0.17	0.32	0.21	0.23	0.44 [b]	0.19	0.13	0.03	0.07	0.29 [a]	0.17	0.35 [a]
					(51)	(49)	(50)	(50)	(43)	(50)	(50)	(49)	(46)	(52)	(50)	(50)
3. Categorical/Kantian																
a. Credible					---	0.02	0.07	-0.18	0.38 [a]	-0.29 [a]	0.22	0.15	0.07	0.19	-0.08	-0.09
						(51)	(52)	(52)	(44)	(51)	(52)	(51)	(48)	(54)	(52)	(52)
b. Chips						---	-0.05	-0.05	0.12	-0.02	0.23	0.19	0.14	0.22	0.21	0.18
							(50)	(50)	(43)	(49)	(50)	(49)	(47)	(52)	(50)	(50)
4. Golden Rule																
a. Shoes							---	0.38 [b]	0.16	0.36 [b]	0.20	0.23	0.23	-0.13	0.18	0.29 [a]
								(51)	(43)	(51)	(51)	(50)	(48)	(53)	(51)	(52)
b. Readers								---	0.03	0.38 [b]	0.03	-0.03	-0.01	0.06	0.03	0.37 [b]
									(44)	(51)	(53)	(50)	(47)	(53)	(52)	(52)
5. Judeo-Christian																
a. Equal									---	-0.02	0.41 [b]	0.12	0.40 [b]	0.34 [a]	-0.27	0.06
										(44)	(44)	(45)	(43)	(45)	(45)	(44)
b. Treat										---	0.06	-0.08	0.18	0.15	0.35 [a]	0.48 [c]
											(51)	(49)	(47)	(52)	(51)	(52)
6. Utilitarian																
a. Mostgood											---	0.52 [c]	0.55 [c]	0.22	-0.23	0.27
												(50)	(47)	(53)	(52)	(52)
b. Longterm												---	0.27	0.07	-0.18	0.19
													(46)	(52)	(51)	(50)
7. Libertarian																
a. Nerve													---	0.10	-0.22	0.26
														(49)	(47)	(48)
b. Instinct														---	0.12	0.02
															(53)	(53)
8. Aristotelian																
a. Balance															---	0.21
																(52)
b. Midgrnd																---

[a] $p < .05$ [b] $p < .01$ [c] $p < .001$